reason

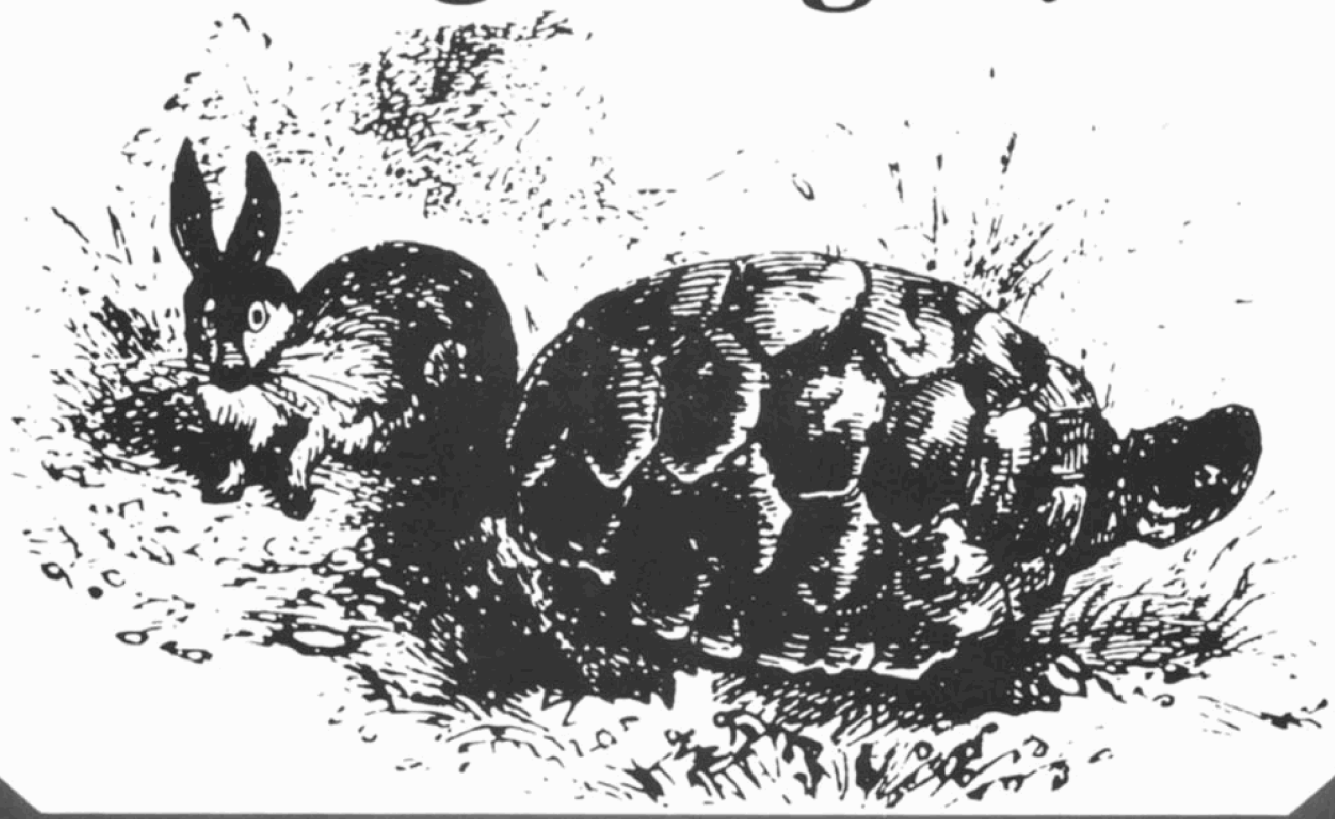
OCTOBER 1976 $1.25

HOW TO FIGHT
LAND USE PLANNERS

REVOLUTION IN
RHODE ISLAND

MAO-IZING
AMERICAN EDUCATION

MacBride's March On WASHINGTON



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

YOU CAN CUT LOCAL TAXES

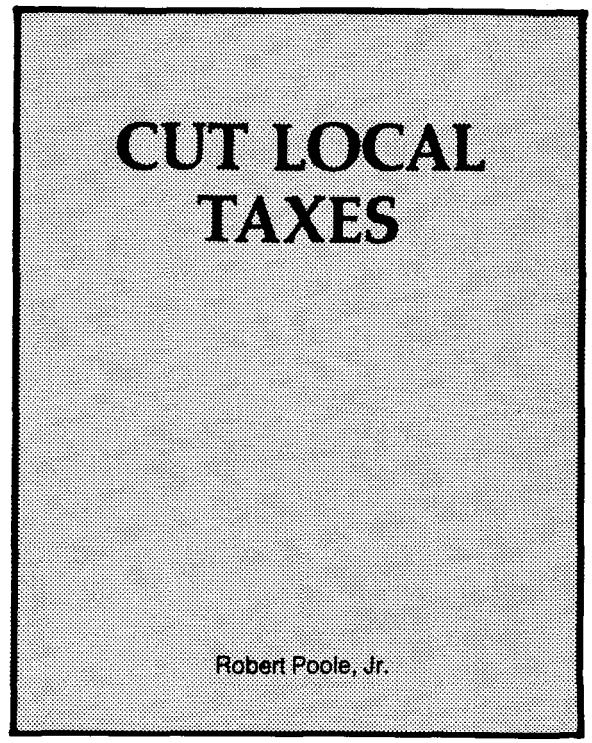
Property taxes are soaring in almost every community. Angry taxpayers are asking: Isn't there some way to bring local government spending under control?

The answer is a resounding YES. Municipalities across the country have tested new money-saving ideas, and proven that they work. Examples:

- A new system of fire protection gives Scottsdale, Arizona quality service at half the cost per person as in nearby cities.
- Cities switch from municipal to private contract refuse pickup—and save an average of 68%.
- Joint purchasing of supplies by communities near Evanston, Illinois leads to savings as high as 50%.

These and scores of other successful approaches are described in CUT LOCAL TAXES, a new handbook from Reason Press and the National Taxpayers Union. For the first time, citizens upset by high taxes have a guide to alternatives. Implementing the reforms described by the handbook could allow your community to cut local taxes by one fifth—without reducing essential services! The innovations are explained by REASON editor Robert Poole, Jr., who has built a lucrative career by showing local governments how to save money.

You can't afford NOT to have this book. Its proposals, coupled with hard-boiled advice on how to effect change, will shake your local government's assumptions about spending—and rally taxpayers into action.



(CUT LOCAL TAXES is the first of its kind—a handbook for taxpayers that applies private enterprise approaches to municipal problems. Unlike some libertarian publications, it deals with facts rather than theory about privatization, performance contracting, and other steps to economy in government. Whether you're looking for material to launch a political campaign, or for a lucid guide to influence taxpayers of all persuasions, CUT LOCAL TAXES is for you.)

reason press
Box 40105
Santa Barbara, CA
93103

Yes—I want to stop wasteful spending. I enclose $_____ for ____ copies of CUT LOCAL TAXES at the following rates: $2 per single copy, $1.50 per copy for two to ten, and $1.20 each for larger quantities. (Please make checks payable to "Handbook").

☐ Send me a free copy of the CUT LOCAL TAXES booklet as a gift for subscribing or renewing with REASON. One year $15 (save $3 off single copy rates), two years $24 (save $12), and three years $32 (save $22).

Name _____

Address _____

City _____ State _____ Zip _____

R1

contents

October 1976/Vol. 8, No. 6
A forum for analysis and commentary, with an emphasis on individual liberty

FEATURES

HOW TO FIGHT LAND USE PLANNERS
By John McClaughry **12**

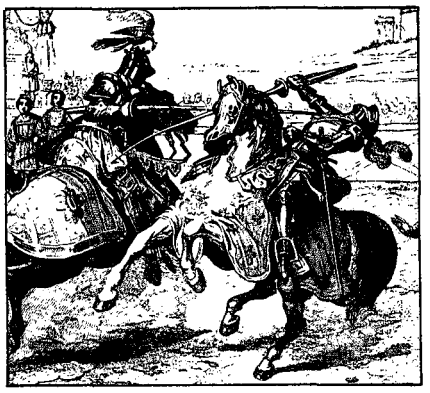
REVOLUTION IN RHODE ISLAND
By David E. Long **19**

FUEL FOR BUREAUCRATS — OR PEOPLE?
By Murray Weidenbaum **24**

MACBRIDE'S MARCH ON WASHINGTON
A REASON Interview, by Manuel S. Klausner **26**

MAO-IZING AMERICAN EDUCATION
By Leonard P. Liggio **32**

DISCORD IN UTOPIA
By George S. Swan **34**



PAGE 12

DEPARTMENTS

LETTERS 4

EDITORIAL/Lessons from Alaska/Manuel S. Klausner 6

TRENDS/Robert Poole, Jr. 10

FOREIGN CORRESPONDENT/House of Cards/Mark Coleman 38

VIEWPOINT/The Dangers of Opportunism/Murray N. Rothbard 39

MOVIES: Swashbuckler; The Omen; The Man Who Fell to Earth 40

BOOK REVIEWS: The Collapse of Democracy/Tibor R. Machan 41
The Good Guys, The Bad Guys, and the First Amendment 42

WASHINGTON WATCH/Alan Bock 43

SPOTLIGHT: Irwin A. Schiff/Mark Frazier 44

MONEY/It's Not Peanuts/Davis E. Keeler 45

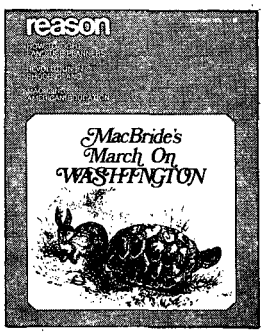
PUBLISHER'S NOTES/Manuel S. Klausner 46

FRONTLINES/Joe Cobb 47

RUDEBARBS 48

CLASSIFIEDS 50

PAGE 32



This month's cover by Phil Groves symbolizes the slow but steady pace of the Libertarian Party's march toward a free society.

REASON is published monthly by Reason Enterprises, 1169 Summit Road, Santa Barbara, CA 93108. Tel. (805) 969-6290. Second class postage paid at Santa Barbara, CA and at additional mailing offices. Postmaster: Please send Form 3579 to REASON, Box 40105, Santa Barbara, CA 93103. Copyright ©1976 by Reason Enterprises. All rights reserved. Opinions expressed in signed articles or columns do not necessarily represent the view of the editors.

CHANGES OF ADDRESS: Please allow six weeks for change of address. Send address label and new address to Circulation Dept., REASON, Box 40105, Santa Barbara, CA 93103. Requests for missing issues due to late notice of change of address, or older than two months from current date, will not be honored unless accompanied by payment.

CORRESPONDENCE: Address comments, manuscripts (for return, please include a self-addressed, stamped envelope), classified ad orders (with full payment) and subscription orders to REASON, Box 40105, Santa Barbara, CA 93103. Two copies of manuscript required. Author information sheet available on request. Address mail concerning display advertising to Media Selection Corp., Box 296, Goleta, CA 93017.

reason

Editors
MANUEL S. KLAUSNER
ROBERT POOLE, JR.

Senior Editor
TIBOR R. MACHAN

Managing Editor
MARK FRAZIER

Book Review Editor
MARTY ZUPAN

Contributing Editors
David Brudnoy
John Hospers
Eric Mack
Henry G. Manne
Alan Reynolds
Murray N. Rothbard

Foreign Correspondents
Prakash Aswani/Middle East
Anne Brincker/Denmark
Victor Filmer/New Zealand
Ole-Jacob Hoff/Norway
Bob Howard/Australia
A. Michael Keerma/Canada
Fernando Linares/Guatemala
Guy de Maertelaere/Belgium
N. G. Molinelli/Argentina
Michiel van Notten/The Netherlands
Luis Pazos/Mexico
Pauline Russell/England
Marc Swanepoel/South Africa

Departments
Charles F. Barr/Movies
Joe Cobb/Frontlines
Randall K. Hylkema/Rudebarbs
Davis E. Keeler/Money
Manuel S. Klausner/Publisher's Notes
Robert Poole,Jr./Trends and Spotlight

Art Director/Designer
Phil Groves

ADVERTISING: REASON is represented for display advertising by Media Selection Corp., Box 296, Goleta, CA 93017. Tel. (805) 964-3561, Jim Lance, president. Obtain rate card before sending copy. Send classified ad orders with full payment, to Reason Classifieds, Box 40105, Santa Barbara, CA 93103.

SUBSCRIPTION RATES: Single copies, $1.25. Special Issues, $2.00 and $3.50. REASON publishes two Special Issues annually, which are sent to subscribers at no extra cost. Subscriptions: one year (12 issues) in the United States, $15.00; 2 years, $24.00; 3 years, $32.00. Other countries: add $1.50 extra per year.

BACK ISSUES: Write for back issue list for current prices. Volumes 1-4 are available on microfilm from University of Southern California Library Micrographics Dept., University Park, Los Angeles, CA 90007. Volumes 5 and up are available from Xerox University Microfilms, 300 North Zeeb Road, Ann Arbor, MI 48106.

LETTERS

BUREAUCRATS' RIGHTS

Re Don Stephens, *In Defense of Retreats,* I found the article to be an excellent refutation of the oft-uttered anti-retreat cliches. However, his worship of Robin Hood and Ragnar Danneskjold is incomprehensible.

Stephens professes to be a libertarian and, by implication, a respector of property. Since when does the theft of property by a bureaucrat justify a further theft from the bureaucrat and the return of the property to its original owner, after a fee for the theft service has been retained? Theft is theft irrespective of whether it is done by a bureaucrat or a Robin Hood, and irrespective of the motives of the thief.

Clearly, Stephens is a well-informed and competent specialist in retreats. He also knows where many of them are and in what manner they are stocked. But if I were in the market for a retreat, I doubt if I would ask for professional advice from someone with Stephens' view of property . . . that theft is acceptable, if it is done for a noble cause.

Like any other action undertaken by the individual, the decision to embark on a retreat program is a completely personal matter. The individual does not owe anyone an explanation or a defense of that decision.

Thomas W. Sanders
Pleasanton, CA

Mr. Stephens replies: I'm happy to note that Mr. Sanders was generally pleased with my evaluations of the old anti-retreat cliches, but must express regret that there was a communication problem regarding my comments on Robin Hood and Ragnar Danneskjold.

I would like to set the record straight that I neither "worship" these individuals nor, as Tom interpolated from my comments, do I contend that "theft is acceptable, if it is done for a noble cause."

First, I don't "profess" to be a libertarian by anyone's pat definition. Rather, I try to act consistently in the manner that, in agreement with reality as I perceive it, will be in my own long- as well as short-range self-interest. In most cases this coincides with libertarian theory of one vein or another but I'm far from a "party line" type and find little in common with the philosophical bullshooters who hang around at libertarian gatherings, using the lack of total freedom in today's world as justification for their own continuing business failures.

Second, there seems to be some difference in how we define both *theft* and *property.* To me, property is that which is created or discovered by its owner or acquired from its previous valid owner through voluntary exchange and theft is the taking of such property from its valid owner through force, threat or fraud. I hesitate to guess what Mr. Sanders' definition of these two words is, lest I fall into mistakes similar to his, but it would appear that he is defining property as anything which comes into one's possession by any means whatsoever and theft as the taking of that possessed by another, whether his claim to it be valid or not!

Bringing this into the real world one might conclude that if Mr. Sanders were captured to serve as someone's slave, he would be the rightful property of his captor and if he made good his own escape, it would show a lack of respect for property inconsistent with his own definition of a "professed libertarian." That position doesn't fit too well with *my* sense of rational self-interest.—**D.S.**

PRIVATE INFLATION

Joe Cobb's recent article on credit inflation [June] was a very amorphous discussion of money and banking. Nevertheless, I would like to state my disagreement with one specific point, namely: "The belief that fractional-reserve banking is the root of all monetary evil is wrongheaded."

Fractional reserve banking is disastrous for both the morality and the fundamental bases of the market economy. *The nub of the problem is that fractional reserve banks create new money while other credit agencies do not.* Issuing promises to pay money on demand in excess of the amount of actual cash or bullion on hand is simply fraud.

Fractional reserve banks only hold a fraction of the actual cash or bullion needed to redeem their outstanding promises to pay on demand. Banks

(continued on page 7)

To a few men in each generation is offered the gift of clear fiscal wisdom. One of these men is C. V. Myers, editor of the respected financial advisory, *Myers' Finance & Energy*.

Now his acumen is lavished on a book that may well become the economic life-preserver of the next ten years: *The Coming Deflation*.

Mr. Myers has read the signs. He sees the current era of inflation coming to an end . . . with a bang. What will happen to business? Savings? Investments? The social fabric? And what can the individual do to protect himself and his family when the banks are shuttered and hungry mobs roam the streets?

For those alert to forthcoming events and prepared for any eventuality – there is hope. Even profit. But Mr. Myers realizes that even a well armed man in a strange land can die if he doesn't know how to find food and water. So he equips the reader for survival–by first teaching him the truth about the economics of our crisis.

No arcane language here. No weird theories. This is a battle-hardened veteran talking to rookies, giving them the benefit of his experience, showing them how to use the tools they need to survive.

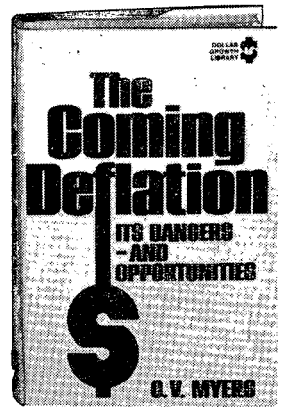
The objectives are security and peace of mind, but the terrain–though outwardly peaceful – is mined with booby traps. Mr. Myers guides the reader past each one: the gold-exchange standard, special drawing rights, multinational inflation, the Federal Reserve, the manic behavior of the stock market.

Here too are the six crises we face, in the next few years: the monetary crisis . . . the currency debacle . . . the energy outage . . . stock and bond massacres . . . labor disruptions . . . food shortages.

What can you do about it? "Recognize that you can do nothing more than look after yourself and yours." No namby-pamby suggestions here. The advice is rough and tough, often unsettling to those used to The Good Life. What to do with your cash. What to do with your investments. What skills and crafts you must develop.

When push comes to shove, and shove becomes crunch, some will still sit back and hope for the best. They could starve. The Seventh Cavalry will not rescue them. Others–the fortunate readers of *The Coming Deflation* – should survive. They may even prosper.

SAVE $8.95



WHICH IS IT GOING TO BE, MORE INFLATION –OR A DEVASTATING DEFLATION?

One maverick delivers a sobering answer.

The outlook: grim. But there are opportunities for the sagacious

- Stocks to stay away from
- Why Arthur Burns is finding it hard to make more money
- How to prepare your home, your family against rising violence and crime
- Why the dreaded bust cannot be avoided
- What the public mind can do to money
- One baneful result of the gold-exchange standard
- Five reasons why silver should zoom
- Self-sufficiency measures to take in your own home right now
- The U.S.A.–the richest country, and the poorest
- Steeling ourselves for a lowered standard of living
- The only way to stabilize money
- Will the Arabs really detonate their oil fields?
- Whose gold coins should you own?
- Short-term Treasury bills: do they make good sense?
- Oil expert Myers sees a lot of dry wells in your future
- The New York City analogy: who will bail out the U.S.A.?
- The lopsided silver-gold ratio
- The crazy currency crisis: how will it be resolved?
- The long-haul picture for South African gold stocks
- Two grim scenarios for dealing with the Arabs. One pleasant – but unlikely–choice
- The mysterious Federal Reserve
- The real cause of the energy crisis
- Two peas in the pod: Kublai Khan and the U.S.A.
- Is there enough gold in the world to make a gold standard work?
- Lord Keynes on eventual repayment of the public debt
- What if de Gaulle's plan for a solid money base had worked?
- How multinational inflation robs you
- Alternative energy sources – can we find them in time?
- What you should do about your mortgages
- What you should transfer your assets into – now, while there's still time
- Forecast: the destruction of our civilization–unless . . .

CONSERVATIVE BOOK CLUB
165 Huguenot St., New Rochelle, N.Y. 10801

Please send FREE **The Coming Deflation: Its Dangers—and Opportunities** by C. V. Myers and accept my membership in the Conservative Book Club—the only book club expressly for political conservatives. I agree to buy 3 books from among the more than 150 to be offered in the next 15 months, after which I may resign at any time. I will be offered books on politics, investing, social issues, religion, economics, conservative ideas, Communism, history, etc. Membership entitles me to a free subscription to the Club Bulletin, which brims with news of interest to conservatives. I am eligible to buy Club books at discounts of 20% to 94% plus shipping. If I want the monthly Selection I do nothing; it will come automatically about one month later. If I don't want the Selection, or I prefer one of the Alternates, I merely inform you on the handy form always provided. I'll be offered a new Selection every 24 days—15 per year. RE-227

NAME

ADDRESS

CITY/STATE ZIP

☐ I don't care to join the Club but I enclose $8.95. Please send **The Coming Deflation: Its Dangers—and Opportunities** postpaid. 30-day return privilege.

EDITORIAL

LESSONS FROM ALASKA

> Our territory and now state has traditionally been the home of people who prize their individuality and who have chosen to settle or to continue living here in order to achieve a measure of control over their own lifestyles which is now virtually unattainable in many of our sister states. — *Raven v. Alaska (Alaska Sup. Ct. 1975).*

Alaska has recently pioneered in three areas which are of interest to those involved in the battle to preserve personal liberty from encroachment by the state. The three developments were significant, although they did not receive much attention in the national media.

The first event took place last year, when the Alaska Supreme Court held in *Raven v. Alaska* that criminal penalties for adult possession of small amounts of marijuana in the home was an unconstitutional invasion of the individual's right to privacy. Although limited to possession by adults for personal use at home, the landmark decision was the first to recognize that the possession of marijuana is constitutionally protected. Relying in part on a 1969 U.S. Supreme Court case holding that an individual had a right to possess pornography for private use at home, the Alaska decision was based on the right-to-privacy amendment which was added to the Alaska Constitution in 1972. The court stated that "privacy in the home is a fundamental right," and that the state could prohibit the possession of marijuana for personal use in the home only if it could persuasively show "that the public health or welfare will in fact suffer if the controls are not applied."

After a lengthy review of scientific evidence, the court concluded that "the use of marijuana, as it is presently used in the United States today, does not constitute a public health problem of any significant dimensions." The court also found that marijuana use "is far more innocuous in terms of physiological and social damage than alcohol or tobacco," but emphasized that it did not condone the use of marijuana, which the court viewed as a matter for individuals to determine for themselves. Criminal penalties for possession of marijuana outside the home were upheld, primarily based on the court's assertion that it related to the need for control of drivers under the influence of marijuana.

At least fourteen suits challenging marijuana prohibition are now pending in the United States based on the Alaska ruling that possession of marijuana in private by adults may not be constitutionally criminalized. While it may be properly criticized for its rather limited holding, the Alaska precedent is an innovative step forward, in combatting the overreach of the criminal law, which may also prove useful in challenges to laws regulating other private adult conduct such as consensual sexual behavior.

The second noteworthy Alaskan development was the adoption of a new, stricter standard to review the constitutionality of legislation challenged as violative of equal protection rights. In *Isakson v. Rickey,* the Alaska Supreme Court decided to reject the conventional equal protection test which—except in the limited situations subject to "strict scrutiny," where the right infringed upon is classified as "fundamental" or the statutory category is deemed to be "suspect"—invariably results in the upholding of legislation. Although many attempts at legislative economic regulation were struck down by the courts under the contract clause or Fourteenth Amendment due process clause of the United States Constitution prior to 1934, the courts thereafter adopted a "hands-off" position, using a "rational basis" test to uphold all types of regulatory legislation as valid exercises of state police powers.

The Alaska court noted widespread dissatisfaction with the "rational basis" test, which results in virtually rubber-stamping legislation that is of dubious propriety. Enunciated in May 1976, the new standard requires that challenged legislation (which does not involve a fundamental right or suspect classification) must be shown to bear a "fair and substantial relation to the purpose sought to be advanced."

Courts have devised various formulas to determine the constitutionality of legislation, and—except for the "strict scrutiny" test—most of them are inadequate in restraining legislative power. Alaska's new "substantial relation" test is more demanding than the old "rational basis" standard, and, the court notes, raises the level of the test "from virtual abdication to genuine judicial inquiry." In its first application of the new test, the Alaska Supreme Court ruled that a cut-off date for applications for commercial fishing entry permits did not bear a fair and substantial relation to the purpose of the legislation and therefore violated equal protection rights.

An 1866 New York decision knowingly observed that "No man's life, liberty or property are safe while the legislature is in session." Times haven't changed much since then, and thus we generally favor an across-the-board application of the "strict scrutiny" test, because it inevitably favors the challenger against the state (although it occasionally has been used to strike down sound legislation). Nonetheless, although its new test would sustain undesirable legislation so long as it closely relates to the legislative purpose, we commend the Alaska Supreme Court for taking a significant step in the direction of judicial protection of the citizenry from the heavy hand of the legislature.

The third significant development was the enactment of legislation to permit Alaskan doctors to administer the controversial drug Laetrile to cancer patients. The importation of Laetrile is prohibited by Federal law, and its prescription as a cancer treatment has been banned by laws in every state. Some Americans have gone to Mexico to obtain the drug, which is made from an extract of apricot pits, and a number of criminal cases are pending involving charges of smuggling the drug into the United States from Mexico. The ban on Laetrile is based on the paternalistic notion that the drug is not a proven treatment for cancer and its use may endanger patients who delay in seeking other proven treatment methods.

Alaska Governor Jay Hammond was urged to veto the legislation by the F.D.A. and the medical profession, but he refused to do so, stating, "The main question in my mind is how far do you go in protecting people from themselves." Hammond soundly concluded that a patient has an "overwhelming" right to receive Laetrile and that the legislation merely "allows each Alaskan to decide for himself" what is in the patient's best interests. The legislation became effective on June 21, 1976. It provides that the drug might still be banned if the Alaska Medical Board ruled it was harmful, but there have been no indications that the Board will take a position on the use of Laetrile.

There's obviously much more pioneering to be done, but it's nice to see how personal liberty is being sheltered by the emerging trends in Alaska. Let's hope that other governmental units swiftly follow these Alaskan lessons. — **Manuel S. Klausner**

LETTERS

(continued from page 4)

operating on the 100% reserve principle possess, to the extent of their notes or promises issued, a reserve fund. Their notes are not inflationary since they do not result in an increase in the amount of money or money substitutes in circulation. For every note issued, an equivalent amount of real money is withdrawn from circulation to be held in the bank's vault as part of its reserve fund.

Issuing promises to pay money at a certain specified time is not fraudulent, provided that the issuer has a reasonable expectation of having the required cash or bullion on hand at the necessary time. However, issuing promises to pay money *on demand* (particularly when such promises are intended to circulate like money) in excess of the cash or bullion on hand is fraudulent. The legal holder of such a promise (to pay on demand) has the right to demand real money for it at any time. The issuer of such a promise (in excess of the cash or bullion on hand) knows it is impossible to redeem all of his promises at the same time and is therefore acting fraudulently.

Anyone interested in the principles underlying this discussion should by all means consult Murray Rothbard's excellent monograph, THE CASE FOR A 100 PER CENT GOLD DOLLAR.

Carl Watner
Baltimore, MD

Mr. Cobb replies: I am sorry that Mr. Watner considered my article "amorphous" (presumably that means poorly written). I am even more sorry that he missed my main point. His pet scheme of 100% reserve banks would not solve his problem as long as other institutions, or individuals, can issue money substitutes.

Even if there were a United States law requiring 100% reserves for all domestic banks, how would this law control banks in the Cayman Islands, which maintain dollar deposit accounts and make loans in dollars?

The proposal for 100% reserves is an attempt to impose a *Quantity Rule* on the supply of money and credit. Such a device can only work if all forms of interpersonal credit creation are brought under regulation—which no libertarian could tolerate. If you prefer a 100% reserve bank, and I prefer a 10% reserve bank, who are you to tell me and my banker that we cannot make a contract?

What I proposed in my article (and this is not original with me) is a *Price Rule* for the unit of account, rather than a quantity rule for the set of promises which circulate as money. It is the unit of account, after all, which is our problem. If Mr. Watner examined David L. Fargo's excellent article in the June issue, "Will Gold Clauses Return," he might have noticed that the power of Congress to take a six letter word ("dollar") and make a unit out of it, without any constraints from the real sectors of the economy, is the source of our problem. If the unit of account itself were a real unit, such as "gram" or "ounce," the citizenry would laugh if the government tried to alter the definition of the currency unit. The transitional program which I suggested, which Mr. Watner also failed to comment on, would represent a workable "floor support system" for the dollar against gold—and if the government proved completely irresponsible, the dollar itself could be junked in favor of "gold-grams" or some better monetary unit of account.

I certainly have read Murray Rothbard's booklet, and I do not quarrel with him as far as he goes. I would suggest that your readers go directly to the source, however, and read Ludwig von Mises, *Theory of Money and Credit,* or the very recent short pamphlet by Prof. F. A. Hayek, *Choice in Currency,* published by the I.E.A. in London.—J.C.

REVOLUTIONARY APPLAUSE

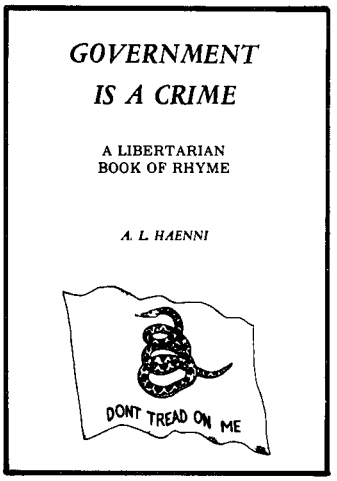
Congratulations! The REASON staff has surpassed itself in the July issue. Every month, for years, I have anticipated the pleasure of devouring the articles, comments, viewpoints, and classifieds. But the July 4th issue is the best yet.

Marty Zupan's interview with Adam Smith is an excellent introduction to his laissez faire economics. Beautifully edited.

Bill Marina's essay, "American Revolution as a People's War," is a long awaited correction of the myth of the revolution as a minority movement.

And Murray's "American Libertarian Revolution" puts the emphasis where it belongs—on ideology, not economics. Not that we libertarians can't recognize an anti-state movement when we see one. But after all the claptrap written by both conservatives and collectivists; Murray is a breath of fresh air (sometimes pure oxygen).

This is a very short book of libertarian rhyme, Conservatives and Liberals may think it a crime...



93 Pages — $2.00
shipped postage paid in a protective book mailer direct from the author
Box A
Grover, Missouri 63040
Quantity Prices on request

CHEROKEE INSTITUTE
Box 7243-V
Kansas City, MO 64113

SMOKERS' TOOTHPOWDER

Remove tobacco film with this activated British toothpowder. Here is a strong power against the most stubborn and ugly nicotine stains. And you get a gently refreshing Regimental formula that Winston Churchill used . . . $2.50 a tin, and worth 3 times the price.

World Famed BREVETTATA Tear Gas Pistol SOLD DIRECT BY MAIL

REQUIRES NO PERMIT

Solid metal construction with bulldog grips, looks like a real gun. Stops aggressor without permanently injuring him. Gives needed protection for people who work in lonely, dark locations. Ideal night security for wives and daughters. Still no federal permit or license needed, but not sold to minors. Fires seven cartridges without reloading. The price of each gun-unit includes one gun, ten rounds of tear gas shells, and all shipping cost. Prompt shipment. Insured. We've been selling tear gas equipment for the past fourteen years. Thousands of satisfied customers.

- ☐ 1 Gun-Unit $17.00
- ☐ 2 Gun-Units @ $15 ea. .....(total $30)
- ☐ 3 Gun-Units @ $14.50 ea. ...(total $43.50)
- ☐ 4 Gun-Units @ $14 ea. .....(total $56)
- ☐ 6 Gun-Units @ $13 ea. .....(total $78)
- ☐ Extra tear gas shells .....$3 for ten
- ☐ Blanks for practice .....$2.50 per 100
- ☐ Holsters .....$2.50 ea.
- ☐ Tear Gas Antidote, Bottle $2.88

NAME ... CITY ...
ADDRESS ... STATE ... ZIP
Enclosed is ☐ Check for $___
☐ Money Order for $___
or charge my ☐ Master Charge ☐ BankAmericard
Card Number ___
Exp. Date ___ 1975 Brevettata
Signature ___

ORDER BY MAIL from BREVETTATA,
Dept. PE, 310 W. 9th St.
Kansas City, Mo. 64105

REASON'S COMMENT OF THE MONTH

The letter below by subscriber William A. Hayes, appeared in the July 10, 1976 issue of *The National Observer:*

FREE MARKET MOMENTUM

It pleased and somewhat surprised me to find an article in The Observer *[Mainstreams, May 29] extolling the virtues of* laissez-faire *economic principles. That this is a position easily misunderstood is made evident by Morton C. Paulson's Observations of June 12.*

When Mr. Paulson asks Mr. Roberts to "show us the way out of it all," he demonstrates either ignorance of or disregard for the history of governmental intervention in our economy. Item: The Great Depression, both its causes and its two major relapses, as well as other "wrenching business cycles," resulted from the activities of government agencies, especially the Federal Reserve. (See Milton Friedman's Capitalism and Freedom.) *Item: Every oppressive monopoly which has ever survived has been protected by law or other actions of government. (See* The Myth of Antitrust, *by Alan Greenspan.) Item: Laws to protect individuals from pollution by corporations and other bodies and individuals have existed since the 1890's but have been ignored until recently by government in the interest of "progress" and the "public good." Item: When property is private, it is protected by its owners; when it is public, it is owned by no one and abused by all. Witness government leasing of timber and mineral rights, and our national and state parks. Item: Consumer fraud, deceptive advertising, true corruption, etc. are properly handled by honest adjudication of fraud suits in the courts. We have excellent civil law to protect us as individuals from force and fraud in the "private sector," but very little defense against the same crimes perpetrated by our government (e.g., the actions of IRS, CIA, FBI, FDA, etc.).*

The truth is that the economic expansion of the Twentieth Century was generated by the mostly free market of the Nineteenth and has been hindered during the last 75 years from being as great as it could have been. The momentum so generated now appears to be slowing, and without a major influx of the philosophy of libertarianism will apparently grind to a halt, aided and abetted by those in political power.

It is awareness of the facts of political-economic history which evidently motivated Mr. Roberts to write what he did. These same facts have led to increasing support for the Libertarian Party, with its philosophy of individual liberty and economic freedom.

William A. Hayes
Maquoketa, Iowa

REASON subscribers are encouraged to write letters to the editor of their favorite newspaper, magazine, or journal, and to submit replies to TV and radio editorials, presenting libertarian views on topics of current interest. Each month the editors of REASON select the most notable published letter or broadcasted reply for republication in this space, and honor the writer by a six-month extension of his or her REASON subscription. Send copies of your published letters or broadcasted replies to Reason Comment of the Month, Box 40105, Santa Barbara, CA 93103.

If some readers haven't read Murray's volume I, *Conceived in Liberty* (co-authored with Leonard Liggio) then I recommend it as a powerful history text.

Thank you editors. Happy revolution day.

Janice Laraine Allen
Neshanic Station, NJ

DIVESTING MYTHS

Congratulations for printing William Marina's insightful article on the American Revolution. I count myself among the many who had been sucked in by the myth that the Revolution was a minority movement, and I am happy to find I was misled. In other ways I also appreciate the perspective of Marina's article, which shed additional light upon *recent* history as well as past history. Even more, I am confirmed in my belief that what passes for instruction in history in the public schools is no more than the rankest kind of political indoctrination. Would that the truth will out!

I would also like to comment briefly on some remarks Paul Beaird made in his review of Spooner's *Natural Law, Or the Science of Justice.* Toward the end of his review, Beaird reiterates some basic maxims of natural law theory—with most of which I am in sympathy. It seems to me, however, that natural law theorists pay insufficient attention to the element of caprice in nature's events. I often get the impression that natural law theoreticians look upon themselves as following a scientific tradition of seeking after the "laws" that regulate nature . . . and humanity. The analogy doesn't quite fit, because science is really the pursuit of a *description* of nature. So far, these descriptions have become rather comprehensive—but all of them recognize the essentially statistical nature of physical processes, i.e. the presence of caprice in the so-called natural "order." There is plenty of disorder in the world, and this is perfectly natural.

What has this to do with natural law? Beaird tends to echo Lagrange, with his early notion of a completely causal universe, where consequences inexorably redound to the agent of actions. Unfortunately, complete causality is equivalent to determinism and the natural law concept of justice-proceeding-from consequences is more wishful thinking than an accurate world-view. Need I remind anyone that there are often cases when "consequences" do *not* redound on the doer—either because of anonymity or natural caprice—and cases where consequences befall the innocent? There is no "justice" in contracting polio, for instance. Neither is there justice in having one's business wiped out by more aggressive competition.

This talk of justice tends to invoke a world-view that interprets good and evil as things inherently definable in nature. Nothing is further from the truth. Good and evil are human inventions, and so is justice. Nature knows nothing of either and works without regard to either.

It may not be good natural law theory, but I hold with Walter Kaufmann that we would be better off to divest ourselves of this myth of justice. Instead, we should concern ourselves with making the best of whatever we are dealt, rather than trying to enforce on the world a fancied "natural balance."

Mike Dunn
Santa Barbara, CA

A TOUCH OF BIAS?

Your July 1976 number featuring articles on the Bicentennial of not only American Independence but also

the publication of *The Wealth of Nations* was more than usually pleasant and informative. However, I wish to disagree with some of the conclusions presented in the article "The American Revolution as a People's War," by William Marina.

It is a relief to see that Mr. Marina does not fall into the error of portraying the Revolution as having been won by buckskinned frontiersmen who took their long rifles off the wall and went out to hide behind rocks and trees and shoot British formed up in triple line. However, he does fall into the error of inflating the prowess of the Patriot militia.

For example, he says, "They [the militia] were intelligent enough to see little sense to the 'stand up and fire at the other guy' tactic that characterized warfare then . . . ." (p. 36). In warfare tactics are primarily dictated by technology. The primary infantry weapon used by both sides was the "Brown Bess" musket, or American-made copies thereof. This weapon was characterized by poor accuracy, low reliability, and, by modern standards, a low rate of fire. (Experienced troops could, in battle, get off three shots a minute.) These factors dictate concentration of troops to attain effective fire.

Or, on page 37, "The American militia swarming around General Burgoyne's forces at Saratoga . . ." The militia force on hand the day before the battle amounted to 4000, as compared to Gate's 8000 Continentals. Suddenly, the greater portion of the militia remembered that their enlistments expired that very same day, and promptly left.

Or, the implication that Cornwallis's forces were defeated by the militia, found at the end of the paragraph containing the previous quote. The American commanders in the South found it necessary to post their militia in the front line in battle. This was because upon coming under fire, the militia tended to panic and flee.

In actuality, the siege of Yorktown was conducted by Washington's 11,000 Continentals, who were drilled in the contemporary European style of "stand up and fire at the other guy." The trainer to these troops was Friedrich von Steuben, a former Prussian officer. Now the Prussians were the most typical of European troops in their tactics. (Of course, one must not forget the Comte de Rochambeau and his 12,000 French troops, nor the French fleet under de Grasse that prevented evacuation of Cornwallis's troops.)

Finally, do I detect a touch of bias? "The Americans also practiced terror . . . it was strategic and selective . . . whereas British reprisals against the population . . . were random and without real purpose." (p. 36) It has always been the privilege of the victors to write the history of the war to suit themselves, whitewashing themselves and blackening the enemy's record. The preceding statement is an ideal example of this.

Joseph T. Major
Hopkinsville, KY

PANAMA CAVIL

I am referring to the July Viewpoint article denigrating U.S. title to the Panama Canal because it is an enclave of U.S. socialism. A superimposed layer of Castro-Panamanian socialism would hardly improve the situation. If according to treaty sovereignty is Panamanian and title American, why not let it remain that way without any concession?

The column charges impropriety only on the part of U.S. in the original treaty negotiations. If so, then why did money leave the U.S. Treasury rather than enter it? All America received was a strip of malaria-infested

(continued on page 49)

Three taped speeches by one of the most important and controversial figures on the "New Left."

KARL HESS

takes you inside politics -- from right to left.

From establishment Republican to New Left anarchist. From leading conservative ideologue to tax rebel.

Such was the remarkable political odyssey of Karl Hess.

In the course of his journey, Hess turned out numerous articles and books that have been a major force in creating and publicizing the libertarian movement. "The Death of Politics" in *Playboy*, for example, and "An Open Letter to Barry Goldwater" in *Ramparts*.

If you're intrigued by Karl Hess' ideas and his political metamorphosis, you'll want to hear him speak. Now, three major addresses by Hess are available on cassette tapes—exclusively from AUDIO-FORUM.

On these tapes, Hess proves to be even more eloquent and hard-hitting than he is on paper. His probing analyses and devastating wit give you a first-hand, "behind-the-scenes" look at politics and society—unlike any you've heard before.

When Karl Hess reports on what goes on in right- and left-wing circles, he speaks with the authority of a true insider. Hess was a founding editor of *National Review*. Barry Goldwater's chief speechwriter in the 1964 presidential campaign, and the holder of a top post with the Republican National Committee. Yet only a few years later, he was to find himself involved with SDS, the Black Panthers, the antiwar movement, tax resistance, and various alternative projects for achieving social change at the neighborhood level.

Yet Hess maintains that he did not undergo a dramatic "conversion," but simply a logical development. "I still believe in the same things I've always believed in," he said recently.

Here's your chance to find out what Karl Hess is *really* like. Order one, two or all three of these fascinating tapes.

What Happened to Conservatism?/ Hess traces his development from conservative to New Left libertarian. His incisive and critical discussion covers a broad range of issues, including the economy, the role of the corporation, the concept of an "American destiny," military defense, and labor unions. Speaking before a largely conservative audience in Washington, Hess alternately shocked and delighted his listeners. This on-the-spot recording captures all the intellectual excitement of the occasion, and includes a lively question-and-answer session./ **Tape 319 (58 min.) $9.95**

The Psychology of the Ruling Class/ A perceptive analysis of power and those who wield it. Hess discusses the psychological traits which distinguish the "power elite" from the rest of us. He provides some startling new evidence to support the old dictum that "power corrupts absolutely." Recorded at the University of Maryland's "Who Rules America?" conference. In the course of the question-and-answer session, Hess presents his opinions on current issues and political figures in the news./**Tape 422 (53 min.) $9.95**

Libertarian Advocate Dinner/ We are saddled, Karl Hess believes, with a tyranny of the inept. He delivers a blistering attack on Rockefeller, Kissinger, Reagan, and assorted Government agencies. Also included on this tape are short speeches by Murray Rothbard, Peter Breggin, E. Scott Royce, and Chuck Morgan. Hess is introduced by Alan Bock, director and founder of the Libertarian Advocate./**Tape 420 (107 min.) $12.50**

All tapes unconditionally guaranteed. Rush order form today!

Send me the Karl Hess tapes I've checked below. I understand that if I'm not entirely satisfied, I may return the tape or tapes purchased within three weeks for a prompt refund.

☐ All three Karl Hess tapes at a 12% discount, $28.50
☐ #319 "WHAT HAPPENED TO CONSERVATISM?" $9.95
☐ #422 "PSYCHOLOGY OF THE RULING CLASS" $9.95
☐ #420 "LIBERTARIAN ADVOCATE DINNER" $12.50 AF143

Name _____
Address _____
City _____ State _____ Zip _____

☐ Enclosed is my payment ☐ Charge my credit card.
☐ BankAmericard ☐ Master Charge ☐ American Express
Card Number _____ Date Exp. _____
Signature _____

AUDIO-FORUM® 901 N. Washington St./Suite 200 Alexandria, Va. 22314

SA770

TRENDS

MILKING THE CONSUMER

The Council on Wage and Price Stability reports that U.S. consumers pay an extra $5-600 million each year for milk, because of state and Federal regulations. The Department of Agriculture is investigating charges that large dairy co-ops illegally raise milk prices. The 1975 President's Economic Report acknowledged the effect of regulations on raising retail milk prices. And the Justice Department's Antitrust Division is now looking into Federal milk regulation.

In addition to talk there has been some action. In the past two years the Virginia and Louisiana legislatures have repealed their milk regulations, leaving only 11 states with such laws. After a 1975 California repeal effort failed, the Consumer Cooperative of Berkeley challenged the constitutionality of the state price-fixing law by lowering its price 8¢ below the legal minimum (see "Trends," May 1976, p. 34). The State Director of Food and Agriculture has gone to court seeking a permanent injunction against the co-op. The latter, meanwhile, has been joined by Consumers Union, which has filed a "cross complaint in intervention." Thanks to this filing, if the injunction is denied and the law found unconstitutional, the finding will apply statewide, not just in the Berkeley area, thereby saving California shoppers an estimated $100 million per year.

Besides California, milk price fixing states include Alabama, Maine, Montana, Nevada, New Jersey, North Dakota, Pennsylvania, South Carolina, South Dakota, and Utah. Hopefully, repeal efforts will begin in these states, too, before long.

SOURCE:

- "The Revolt Against Milk Price-Fixing," *Consumer Reports,* July 1976, p. 416.

MEDICAID CAPITALISM

"Anything you can do I can do better," seems to apply no matter where private enterprise turns its attention to performing government services on contract. The latest example is state medicaid programs and the case in point is North Carolina. Last year that state signed a two-year, fixed-price ($405 million) contract with Health Application Systems, Inc. to operate the state's entire medicaid program. In return for that $405 million, HAS will pay all legitimate claims, even if costs rise and more people become eligible for the program. State officials are pleased with the contract because they know in advance what the program will cost, and estimate a two-year saving of $4.5 million compared with running the program themselves.

How does the company expect to make money on the deal? For one thing, it has developed automated claims-processing and management techniques that can spot fraud and waste far more effectively than the state's former manual processing methods. Secondly, the firm has full control over hiring and firing of its employees, unlike the state bureaucracy with its civil service workers. Consequently it fully expects to make a profit on the contract. HEW officials regard the North Carolina experiment with interest, as a possible prototype for replication in other states. Creeping capitalism turns up in some of the least expected places

SOURCE:

- "When a State Turns Over Medicaid to a Private Firm," *U.S. News and World Report,* March 22, 1976, p. 20.

PROFESSIONAL LOOSENING

Yet another skirmish in the battle to free the market for professional services has been initiated by the ever-innovative Federal Trade Commission. The agency has announced an investigation of state laws that prohibit dental laboratories from selling dentures directly to customers, permitting only dentists to practice this arcane trade. An FTC spokesman noted that this most recent probe is, as REASON readers are well aware, part of a wide-ranging program investigating "matters that restrict competition and may be raising the price" of health care services.

One might think, with such FTC pronouncements becoming common and with the Supreme Court beginning to throw out such laws, that other professions would get the message. Not so. At the recent National Water Resources and Ocean Engineering Convention of the American Society of Civil Engineers, many speakers urged that state engineering registration boards be made *stronger.* The ASCE Committee on Standards of Practice even urged that the state boards, rather than the professional societies, enforce professional codes of ethics. Fortunately, cooler heads than the Committee's prevailed when it came to a vote, with a final tally of 150-2 in favor of ASCE continuing to enforce its own code of ethics.

SOURCES:

- "FTC to Weigh Bypassing Dentists in Denture Sales," AP (Washington), July 23, 1976.
- "Highlights of the San Diego Convention," *Civil Engineering,* June 1976, p. 70.

PEANUT SUPPORTERS

Perhaps anticipating a Jimmy Carter presidency, the Agriculture Department has launched a drive to terminate the government's program of peanut price supports. Peanuts are the last remaining food crop being kept out of the free market by government programs—in this case (1) import controls to prevent the entry of low-priced foreign peanuts, (2) restrictions of peanut crop sizes by acreage restrictions, and (3) government support prices above free-market levels (i.e., prices at which the government guarantees to buy up any surplus—typically 30 percent of the crop). The net effect of these programs is to raise the prices of peanuts and peanut products, besides taking some $200 million each year directly in tax money.

Repeal of the peanut program faces tough going in a Congress in which agricultural Democrats still control important committees. If Earl Butz can pull this one off, he can take a certain well-deserved satisfaction in hitting the potential next president where he lives.

SOURCE:

- "Costly Peanut Plenty," *Time,* July 19, 1976, p. 48.

CURBING THE BIG SPENDERS

One morning in the not-too-distant future, Congress might wake up to find itself stripped of a major power. Prospects have increased substantially for a new Constitutional convention that would force Congress to balance the budget. Twelve states to date have passed a resolution insisting upon just

such a convention to end deficit spending.

The drive has been led by a Maryland state senator and member of the National Taxpayers Union, James Clark. His efforts have been successful in New Mexico, North Dakota, Nebraska, Oklahoma, Louisiana, Mississippi, Indiana, Florida, Georgia, Virginia, Maryland, and Delaware. Besides these states, the resolution has passed one house of the legislature in West Virginia, South Carolina, Missouri, and Colorado. And four other states (Idaho, Kentucky, Iowa, and Tennessee) have passed a resolution calling for a balanced Federal budget but not for a Constitutional convention.

In the second phase of the budget-balancing drive, the National Taxpayers Union is opening a massive petition campaign directed at Congress. While the resolutions continue to make their way through state legislatures, NTU will distribute thousands of petition forms calling for approval of its Balance the Budget Amendment (House Joint Resolution #932 and Senate Joint Resolution #180). The Taxpayers Union believes that two million signatures would spur Congressional approval of the measure–and with polls showing that 78 percent of the electorate favors a balanced budget, the goal does seem achievable. The group has already taken out major ads in support of the Amendment, including a page and a half ad in the *Wall Street Journal.* Further information may be obtained from NTU, 325 Pennsylvania Avenue SE, Washington, DC 20003.

SOURCE:
• "Balance the Budget," *Dollars and Sense,* May, 1976.

DESEGREGATION VS. INTEGRATION

A noted group of scholars, both black and white, met with President Ford in June to support desegregation–and to vigorously oppose attempts to integrate schools through forced busing. Their criticisms were said to have made a favorable impression at a time when the White House is seeking to exploit the overwhelming anti-busing sentiment of the country.

The leader of the 11-member group, Henry Marcheschi, told Ford that busing was an "intellectually and morally bankrupt tool to achieve racial desegregation." To back up his contention, three distinguished professors loosed their critiques. Professor James Coleman, a former advocate of busing and the author of the influential 1965 "Coleman Report," called court-ordered busing in Boston and Louisville "wholly inappropriate" to the problems identified. Professor Nathan Glazer, of Harvard University, challenged the view that a "good, fair, decent society" demanded that ethnic groups be forced to attend school together. And Dr. Thomas Sowell, a black UCLA economics professor, noted that busing in many cases appeared to be correlated to lower achievement by blacks.

Whether these views will change public policy is open to doubt. But the poverty of coercive busing as a tool to desegregation, as opposed to voluntary choice of schools, is becoming increasingly clear to those who study the issue.

SOURCE:
• "Ford Meets With Supporters, Opponents of Forced Busing," *Los Angeles Times,* June 13, 1976.

SWISS "CHEAPSKATES"

As an indicator of moral decay, one can look to the proportion of a country's Gross National Product that goes to foreign aid. The more money extracted from the taxpayer, the more likely are the politicians to have stampeded citizens into guilt about affluence.

By this indicator, Sweden leads the league. The self-proclaimed conscience of the West contributes 0.72 percent–highest of the 17-member Development Assistance Committee, the charitable branch of the Organization for Economic Cooperation and Development. The United States and Japan are tied for 12th place with 0.25 percent. In last place is Switzerland, whose citizens are every bit as wealthy as those in Sweden, and substantially more so than those in America. The Swiss contribute 0.14 percent.

Of course, hand-wringing about success can be found even in Switzerland. Politicians recently prevailed upon parliament to pass an $80 million contribution to the World Bank, which wanted to use it for soft loans to the Third World. The Swiss grass roots are alive and well, however. A right- and left-wing alliance launched a petition drive against the measure, bringing it to a referendum in June. By a landslide, the voters rejected the aid giveaway.

SOURCE:
• "Who Is Stingiest of All?" *Time,* June 28, 1976.

MILESTONES

• *Not-so-swift couriers.* The doctrine of "sovereign immunity" (whereby the State is immune to suit) has been breached in a landmark San Diego case. The U.S. District Court there ruled that although the U.S. Postal Service is still protected by this doctrine, *its individual employees are not.* Thus, the court dismissed a motion to throw out a suit against nine postal officials who are being sued for $31,500 by a retailer whose 25,000 leaflets announcing a sale were delivered after the sale was over. (Source: "The Swift Couriers," *Business Week,* July 5, 1976.)

• *Goodbye helmets.* The Federal requirement that states force motorcyclists to wear helmets (on pain of losing Federal highway aid funds) has been quietly repealed. The 1967 requirement had been acquiesced in by all states except California, whose highway officials decided the better course of action was to provide safety information to bikers. In June, a bill sponsored by Sen. Jesse Helms (R–NC) and Rep. Stewart McKinney (D–CT) was signed into law, removing this ridiculous requirement from the Highway Safety Act. (Source: "End of a Motocycle Madness," James J. Kilpatrick, column, July 5, 1976.)

• *Local taxes, goodbye.* Citizens of Gilbertsville, Kentucky are like a lot of folks–they don't think local government delivers much for the money. Unlike most folks, however, they decided to do something about it, by getting rid of the city that taxed them. In a referendum last May, they voted 111 to 63 to dismantle the government. Now they have no street lights, no police officer, no city hall paper-shufflers–and no taxes. "I'll just be glad when it's over and we won't be harassed by a little board that can't furnish us any facilities of any description and never would be able to," said one citizen during the referendum. (Source: "The Lights Go Out All Over Gilbertsville," *Los Angeles Times,* June 16, 1976.)

• *Heathen rejoice.* A defeat for the anti-capitalist mentality, in New York of all places: the Supreme Court of the state declared that commercial activities are legal on Sunday. For the past 320 years, the state's "Blue Laws" have attempted to restrict such activities. Saying the laws were "devoid of rhyme or reason," the court unanimously declared the statutes to be unconstitutional. (Source: "N.Y. City Court Overturns Sunday 'Blue laws,' " AP (Albany), June 18, 1976.) ◻

This column reports trends in the advancement of individual liberty and the rediscovery of economic freedom. Readers are invited to submit material of potential interest.

How to Fight Land Use Planners

John McClaughry

America, it seems, is caught up in a stampede toward "comprehensive state land-use planning," which is to say comprehensive state land-use controls. Hawaii led the way with its Land Use Law of 1961. Vermont's pioneering legislation, popularly (and unpopularly) known as Act 250, came in 1970. The same year saw the enactment of the Maine Site Location Law and the Florida Environmental Land and Water Control Act. In 1972 California voters approved by referendum "Proposition 20," the Coastal Zone Conservation Act. All of these measures impose environmental controls over at least certain areas of the states, and Hawaii and Vermont laws would, in one way or another, put the state in charge of *all* land use and growth. Parallel to this state activity has been a strong push for Federal legislation, led by Senator Henry Jackson and Representative Morris K. Udall.

The movement has a catechism of slogans. "Land is a resource, not a commodity." "The public has rights as well as property owners." "Land 'owners' are really land holders, who must exercise stewardship for the benefit of the broader community and unborn generations." Leaving the slogans aside, however, it is clear that the operational goal of this movement is the complete centralization of control over what until now have been known as private rights in land.

The supreme irony of this movement is its determination to move for-

ward by moving backward—backward to feudalism. For its advocates' ideal society is one in which all property in land is not held in fee simple, as we now know it, but "of a superior." That superior is no longer the king—since in a moment of possible irrationality our forefathers scuttled the idea of monarchy—but the State, a less personal but more permanent institution.

Since Vermont has by now run through the full cycle of environmental hysteria, state development controls, a statewide zoning battle, a catastrophic defeat, a sober reappraisal, and the slow beginning of a serious search for alternatives, it may well prove instructive to describe the land-use control movement in Vermont since 1969. It might also shed some light on the direction of Federal legislation, since the Vermont "process" was frequently lauded as a model of that envisioned under the Jackson-Udall bill.

In 1968 the nation's economy was in high gear. People had money to spend, and many of those living the larger cities of the Eastern seaboard began to consider buying second homes in relatively accessible yet unspoiled rural areas. Vermont had long been a beautiful but somewhat distant backwater, but in the mid-sixties something new came to Vermont—the interstate highway system. By 1968 southern Vermont was a mere two hours' drive from Boston, four hours' from New York City. With its scenery, skiing, summer sports, and relatively cheap land, it suddenly became a mecca for urban expatriates and vacation-home buyers.

By summer of 1968 second-home developers were gobbling up southern Vermont's countryside, leading Gov. Deane C. Davis to name a Commission on Environmental Control in May 1969. By the fall of that year the commission, chaired by Representative (now Senator) Arthur Gibb, issued its report, which formed the basis for enactment of Act 250 by the 1970 legislature.

That the Gibb Commission might have proposed a libertarian-oriented solution was, unfortunately, far too much to hope for. It could, however, have relied upon the traditional Vermont practice of local government control of development, that is, decentralized coercion. Indeed, as of mid-1968 Vermont towns had sweeping powers to control development. But the Gibb Commission did not believe that local people would implement sufficiently stringent local rules to guide large developments.

So the commission embarked on state control over development. In a gesture to local control it recommended the creation of district environmental commissions, staffed by laymen, to pass on permits. The criteria for the issuance of permits would be written into state law. A State Environmental Board would prepare guidelines for the permit process and act as an appeals board. Finally, two important plans were to be prepared for subsequent legislative approval—the "capability and development plan" and the "land-use plan."

Initially it was intended that the first be a sort of master plan for the state, indicating which kinds of development were best suited to which areas in light of numerous policy decisions. The plan made public by the Environmental Board in November 1972 made only a feeble attempt in this direction. The sweeping statements in the plan alarmed opponents of centralized planning, while the lack of detail and general vagueness dismayed the environmentalists.

The supreme irony of the land-use planning movement is its determination to move forward by moving backward—backward to feudalism.

The result was something of a legislative debacle. The capability and development plan submitted by the board was promptly scrapped, as was an equally inchoate land-use plan. In its place came a bewildering series of legislative drafts. Finally, on the last day of the 1973 legislative session, a bill bearing the name of a "capability and development plan" squeaked through to final passage. As the state planning director later admitted, however, the bill had little of a "capability and development plan" in it. Instead it added numerous refinements to the permit criteria section of Act 250 and stated 19 policies for future land-use planning. These policies, however, had no regulatory force and were not codified into the state statutes.

The other plan, the "land-use plan," was to be state zoning, pure and simple. It was to "consist of a map and statements of present and prospective land uses based on the capability and development plan, ... to be further implemented at the local level by authorized land use controls such as subdivision regulations and zoning." The appointed State Environmental Board would supervise the process.

The first attempt at a land-use plan, unveiled in late 1972, was so inept a document that neither outgoing Governor Davis nor incoming Gov. Thomas P. Salmon was willing to sign it. But it underscored an important fact: the ultimate end of the "Act 250 process" was not merely requiring environmental permits from "larger developers" but the complete centralization of power over the use and exchange of land.

For the first two and a half years after enactment of the Act 250 land-use plan there had been no organized opposition, although there was some unhappiness among developers. Ironically it was not that act at all but a related measure, the Health Department subdivision regulations, that provoked the organization of opposition, culminating in the smashing defeat of Act 250.

To stall development until a comprehensive law could be passed, Governor Davis in September 1969 approved the adoption by his health commissioner of "subdivision regulations." Their ostensible purpose was to prevent the subdivision of land into lots lacking adequate sewage disposal capability. November 1972 saw the adoption of horrendous new subdivision regulations requiring, for example, a costly percolation test on *every acre* of a thousand-acre parcel divided into three parcels for sale. Bearing only marginal relation to sewage disposal, the new regulations were clearly designed to prevent subdivision of land.

At Lyndonville, in the state's relatively undeveloped northeast kingdom, 75 citizens came together in a sponta-

neous protest meeting. About a third of those present were associated with the real estate business. Others were just landowners, large and small. Many were notably conservation-minded, although that was more than the environmentally oriented daily press was willing to concede. The meeting resulted in the formation of the Landowners Steering Committee to fight back against the bureaucrats. To get public attention the group pledged to post some 100,000 acres of Vermont land against hunting, fishing, or snowmobiling.

While the cause of the protest meeting was subdivision regulations, the Steering Committee quickly recognized that far more of the same kind of thing lay on the horizon. The committee adopted a reasonable and balanced five-point program:

1. Reject the Act 250 statewide zoning plan.
2. Put the responsibility for preserving the environment on the developer, not on the mere seller of land.
3. Prevent bureaucrats from imposing impossible regulations on the citizens without legislative approval.
4. Enforce the laws against polluters.
5. Allow multiple use of state-owned lands.

Despite this very moderate program the Steering Committee was roasted in the daily press. Its members were castigated as irresponsible hucksters and polluters, hell-bent on personal profit at the expense of present and future generations.

The committee quickly broadened its board to include representatives from 10 of Vermont's 14 counties and launched a series of public meetings and radio spots to alert Vermonters to the issues. The environmental organizations responded with meetings of their own and attempts to suppress the opponents. Due in part to the vigorous efforts of the Steering Committee and circulation of some 10,000 copies of its tabloid newspaper, the *Vermont Watchman,* the 1973 "capability and development plan" emerged from the legislature minus most of its teeth. Its main significance was that it was admittedly the legal foundation for the land-use plan to be presented in 1974.

Following the 1973 legislative session Governor Salmon called a press conference to announce that he intended to take personal direction of the program to develop a land-use plan for 1974. From the beginning, however, the State Planning Office and the State Environmental Board engaged in a running battle over the form of the plan to be produced. To the delight of the opposition, the Governor seemed either unwilling or unable to insist on a resolution of these differences.

In September 1973 the Planning Office, in conjunction with the various regional planning commissions, conducted a series of hearings on its proposal. Scarcely had these hearings concluded when the Environmental Board took to the field for its own set of hearings. Expressly disavowing the Planning Office draft, the board offered no draft whatsoever. The purpose of the hearings was merely to gather opinion, said the board; then it would retire to its chambers and bring forth the plan for submission to the governor and the legislature. This rather cavalier approach produced prompt criticism, and the board was ultimately forced to produce a draft plan and conduct several additional field hearings on it. Now, with the board's intentions revealed, public reaction arose quickly.

Every environmental bill sets forth a series of lofty goals, but it is significant that individual liberty and a republican form of government never appear in such a list.

The proposal was simply a state zoning scheme. The state was to be subdivided into seven zones, each with its own set of purposes, allowed uses, prohibited uses, and density limitations. Local towns were given a year to prepare a zoning map "furthering the purposes of the State Land Use Plan." If they failed to do so the State Environmental Board would supervise the zoning of the town. To satisfy the board, a town plan would have to comply with 16 detailed criteria. Any mention of compensating landowners for violated property rights was scrupulously avoided.

A howl of protest went up at the unveiling of this plan—not only from landowners but also from local government officials. The plan's emphasis on keeping rural areas undeveloped clearly meant that growth in taxable development would be directed to regional centers. The plan promised tax chaos, as the restrictions changed the value of land drastically and unpredictably. It virtually ordered the towns to provide adequate housing for such people as the state thought ought to be living there.

The uncautious declaration by the chairman of the Environmental Board that "local control is out of the Dark Ages" did much to inspire and enlarge the opposition. So did the deliberate refusal of the board to produce the map clearly called for by the statute. Key legislators gave prompt notice to the board that if it intended to zone everyone's property it would have to present the required map to the legislature. Two lawsuits to force the board to produce the map were filed, and although both were dismissed on technical grounds they further dramatized the issue.

Throughout this furor Governor Salmon sided with the Environmental Board. Before a sportsmen's gathering in January he said that publication of the zoning maps would kill the whole plan—and that since his plan was too important to suffer this fate at the hands of an outraged citizenry, no maps would be published!

But pressure built up rapidly, until the board reluctantly asked the Planning Office to bring forth the maps, which were released in mid-February. Due to the necessary imprecision in zoning a whole state from the capital and to the extreme haste in which the maps were completed, they carried countless errors that were immediately detected by local officials and landowners. But more importantly the maps dramatized the land-use plan as statewide zoning, a charge frequently made but until that point not clearly proven.

The board did another thing in its

draft plan that produced a new wave of opposition. Since 1971 the board had been concerned about the inapplicability of the land-use plan to developments too small to be required to obtain a permit, that is, with less than 10 units of housing. So in October 1972 it adopted a resolution asking the legislature to amend the law to make it applicable to even the surveying of lot lines on a single lot! Not only did the legislature not honor this request, it responded by inserting in the law a sentence affirming that the land-use plan would explicitly *not* apply to anything but "developments" as defined in the act—those with 10 or more housing units, and industrial and commercial development on 10 or more acres (one acre in unzoned towns).

When the board began to prepare a land-use plan for 1974, this provision caused great perplexity. How could a meaningful statewide zoning plan be put forth, argued the planners, when anyone might build nine houses in any open field without being governed by the restrictions in the plan? The board decided to ignore this provision of the law by presenting a plan that covered every single acre, every single lot, in the state of Vermont.

Within 60 days of its approval by the Governor and within 40 days of the publication of the maps, the 1974 Land Use Plan was stone-cold dead. The end came at a tumultuous public hearing before the House Natural Resources Committee on February 26, 1974. Farmers, landowners, and just plain citizens flocked to Montpelier 800 strong to berate the plan for over four hours, while only a handful of special-interest representatives, principally architects, rose to defend it. The committee, which had voted in favor of a watered-down version of the plan by a 7-to-4 margin the previous day, voted 9 to 2 the following day to shelve the whole project for 1974.

Recognizing that the map was a major cause of the public uproar, Salmon quietly caused to be introduced into the house a modest measure eliminating the requirement that any state land-use plan "shall consist of a map." This measure was dutifully brought to the floor by the Natural Resources Committee, where, in the words of the ardently proenvironment Rutland *Herald* it was "belted out of sight." As a desperate effort to salvage something from the legislature, the Governor finally pried from it a bill to require Act 250 development permits whenever more than five lots were to be sold at public auction. This wholly illogical piece of legislation was based on the idea that, since public auctions are highly visible, imposing regulations on them would satisfy the more distraught environmentalists favoring an embargo on the sale of land by other people.

Finally, the legislature established by resolution a Land Use Study Committee, charging it to meet during the eight-month recess period "to review all laws, rules, and regulations relating to land use planning." Despite its mandate to review the entire subject, the majority of the committee voted to allow discussion only of zoning and capital-investment controls. Its final report was little more than a watered-down version of the defeated land-use plan, and was never seriously considered.

The Old Feudalism imposed a system of mutual rights and responsibilities tied to the use of land, some of which might profitably be restored in our own day.

Disappointed with the committee's product, Governor Salmon promptly began work on his own version for 1975, placing the responsibility, not on the Environmental Board, but on the State Planning Office. This had the incidental effect of permitting circumvention of the requirements of Act 250 that any land-use plan be aired at public hearings in each of the nine environmental control districts and that it be submitted to the more than 200 town and regional planning commissions for a 30-day review period before being sent to the legislature.

On January 17, 1975, Salmon unveiled his new model to the public. It preserved the basic state-supervised zoning scheme intact, relaxing various requirements as to designation of zones, deadlines for compliance, burden of proof, and the imposition of state controls in the case of towns whose citizens were so backward and reactionary as to fail to zone themselves to state satisfaction on schedule.

The Salmon plan was introduced in the General Assembly, along with the plan favored by a majority of the summer Land Use Study Committee. Despite the election of a sharply increased number of legislators of the Governor's Democratic party, the wave of enthusiasm so evident in 1972 was strikingly absent. Indeed, the first chairman of the Environmental Board came before the legislature to state in no uncertain terms that no regulatory land-use plan of any kind should be adopted. Instead, he said, the state should prepare a sound technical data base as to the environmental impact of development and create controls over public investments by public bodies at all levels. He continued to support the present permit system for so-called larger developments. Meanwhile, the chief drafter of the original Act 250 and its various amendments publicly stated that the 1975 legislature should not attempt to adopt any kind of land-use plan.

With these two defections the cause was seriously weakened. When the 1975 legislature adjourned without taking action on land use, the state planning director jumped ship, advising the Governor not to attempt yet another plan in 1976. In July the Environmental Board's chairman, perhaps the most vigorous booster of statewide zoning, caved in. This rash of desertions left Salmon a noticeably isolated advocate of a state land-use plan, and late in the year he announced that he would not ask the 1976 legislature to take any action.

The House Natural Resources Committee, however, made one last attempt, introducing a bill late in the 1975 session, basically the 1974 Salmon plan with every provision watered down as far as possible. The bill was buried in the House Ways and Means Committee upon adjournment of the 1975 session in April. When it was ultimately dragged to the house floor in March 1976 the committee amendments were defeated on a

73-to-65 vote, after which the bill itself was overwhelmingly rejected by voice vote.

Over the ensuing weekend the chief sponsors of the bill worked desperately to find a member who would switch his vote, and the following Monday the bill was brought back for reconsideration on an 82-to-65 vote. The Governor now leaped back into the act. Notwithstanding his earlier abandonment of support for any land-use control effort in 1976, he called Democratic house leaders into his office and pleaded for passage of the measure. Admittedly, he said, the bill was toothless and largely symbolic; but it should be passed to shore up Vermont's sagging reputation among environmental groups across the nation.

On March 16, after a bloody floor debate, the house passed the bill by a four-vote margin. It received final approval by the same margin the following day, but not until an amendment had stripped from it the only overtly coercive section: a provision that Federal and state permits and grant-in-aid funds would be cut off if local governments failed to impose satisfactory zoning by 1981.

As passed by the house, the bill merely required that every town designate which lands lay in five state-specified zones. Local zoning was not affected by any such designation, however. In passing on land development permits, the district environmental commissions could deny a permit if the project was not compatible with the list of uses specified in the legislation for each type of zone. This provision clearly would prevent any further ski-area development, as all suitable land in the state above 2,500 feet was defined to be in "conservation" zones, where practically no use was to be allowed.

The measure was quickly reported to the senate, but opponents, including house members, ski-area operators, farmers, and other landowners, actively urged that the bill be killed. On March 24 the bill was quietly shipped off to the Senate Agriculture Committee, where it died a natural death with the adjournment of the legislature at the end of the week.

With this overview of the six-year Vermont experience it is now appropriate to identify some of the important features of the campaign to centralize power over land. While there is no reason to believe that the same features will appear in every state afflicted by the New Feudalism, or in Federal land-use control movements, the list is nonetheless instructive.

1. The Idea of Social Property

Underlying the movement for the New Feudalism is the concept of "social property," the polar opposite to the "sole and despotic dominion" claimed for the freeholder by Blackstone. Under the "social property" concept, common both to feudalism and socialism, land is always held at the sufferance of a superior. In olden times there was a long chain of superiors starting at the top with the king and extending downward to serf. Under the New Feudalism the ultimate superior is the state—or possibly the Federal—government. The once free and independent landowner becomes the modern counterpart of the serf.

Could John Adams, James Madison, Thomas Jefferson, or even Alexander Hamilton have conceived of a republic of free citizens in which the State holds full control over land?

The ideas of freehold and social property necessarily tend to approach each other. No freeholder, Blackstone notwithstanding, may use his property in a manner infringing upon the property rights of another. Nor may he claim access to facilities provided by the public on his, rather than the public's, terms. But under freehold land ownership, the presumption favors the use, enjoyment, power to convey, and power to exclude of the landowner of record, and the various qualifications, though not unimportant, are incidental.

Under social property, by contrast, land is presumed to belong to society; so-called land "owners" are merely land "holders" with a temporary usufruct, subject to termination upon society's demand. But since continuous governmental management of every square foot and every use is not administratively feasible, the social property school concedes to the "holder" the privilege (though not the right) to engage in various small-scale and relatively innocuous uses without obtaining governmental permission. But such "freedom" derives only from administrative limitations—there is no right of the "holder" to act independently.

In Vermont, with a relatively conservative political history, the "social property" theory was rarely enunciated with any great precision. It is even possible that some of the advocates of land controls sincerely failed to recognize that their proposals were based on such a doctrine. Some, however, were willing to bite this bullet. In the April 16, 1973, Boston *Globe* the former chairman of Vermont's House Appropriations Committee was quoted: "I advocate nothing less than doing away with private ownership as it concerns real estate. We will have to change our legal philosophy to do that. We will have to stop thinking of land ownership and start thinking of land holdership." And a letter in the Rutland *Herald,* July 24, 1974, he declared: "The property you possess in the form of real estate does not belong to you. It belongs to the government and the government is the people."

2. The Lofty Goals

The preamble of every environmental bill sets forth a series of lofty goals that it is said society must achieve—or else. It is significant that individual liberty and a republican form of government never appear in such a list, although at least a few Orwellian attempts have been made to equate "planning" with "freedom."

Section 6042 of Vermont's Act 250 is a classic example of the recitation of lofty goals.

> The board shall adopt a capability and development plan . . . with the general purpose of guiding and accomplishing a coordinated, efficient and economic develop-

ment of the state, which will, in accordance with present and future needs and resources, best promote the health, safety, order, convenience, prosperity and welfare of the inhabitants, as well as efficiency and economy in the process of development, including but not limited to, such distribution of population and of the uses of the land for urbanization, trade, industry, habitation, recreation, agriculture, forestry and other uses as will tend to create conditions favorable to transportation, health, safety, civic activities and educational and cultural opportunities, reduce the wastes of financial and human resources which result from either excessive congestion or excessive scattering of population . . . .

There is to be a bureaucracy charged with achieving those goals. That bureaucracy will never be able to achieve those goals so long as free citizens go about their business in ignorance of the Grand Design revealed to, or at the least prepared by, the planners. Thus the combination of lofty, unattainable goals and a bureaucracy charged with their achievement must necessarily lead to steadily advancing controls over individual freedom of action. There can be no logical end to this process.

3. The Affirmation of "Broader Interests"

The bane of Grand Designers is local control over land use and development. What satisfied them in 1925, when the Grand Design was envisioned only at the local level, is now anathema. That control process has been captured by local interests oblivious to the needs of the "broader community"—most commonly the region or the state, but occasionally the whole of North America and even all of "Spaceship Earth." The time has come for the government representing the "broader community" to at least supervise the local land-use control process, and perhaps to recover the police power delegated decades ago and exercise it from some more elevated vantage point.

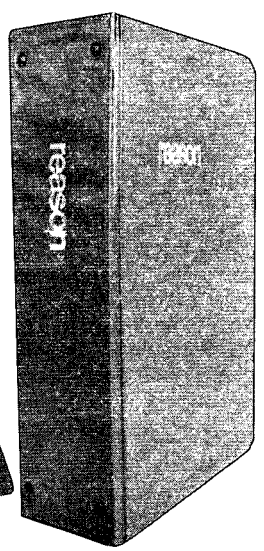
There can be little doubt that local governments have in many cases used the police power unwisely and even corruptly. But the thought that perhaps the defect lies not in the level of government but in the exercise of the police power itself rarely seems to occur to the New Feudalists.

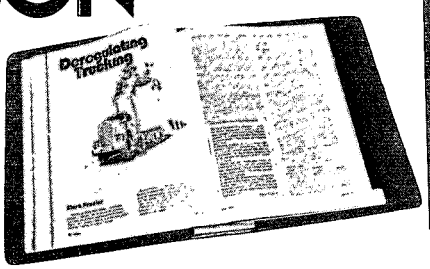
4. The Rejection of Alternative Remedies

There is a host of techniques for guiding responsible growth that do not require a New Feudalism: public investment controls, transferable development rights, graduated taxation, public acquisition and land banking, a reformulation of nuisance law, guaranteed value and compensated regulation plans, and an institutionalized private covenant system.

Rejection of these alternatives by Vermont environmentalists was significant, for it revealed that their goal was not so much protecting the environment, guiding responsible growth, etc. but the concentration of power over the use and exchange of privately owned land. Throughout the six-year struggle they steadfastly refused to even discuss anything other than un-

A BEAUTIFUL NEW WAY TO KEEP YOUR REASON





Keep your copies of Reason in specially designed binders. We've got them ready and waiting for your go-ahead. Now you can keep Reason in your library. Or wherever it's handiest. And you'll have a permanent record of any article or fact — right on hand.

Mail to: **Reason Magazine Circulation Services, Box 6151, Santa Barbara, CA 93111**
Please send me ☐ Reason Binders $5.95 ea. ☐ 4 for $23.00
(Postage and handling included)
Orders outside U.S. add $1.00 per file for postage and handling.
Payment must accompany order. **(CA residents add 6% sales tax)**

Name _____
Address _____
City _____ State _____ Zip _____

compensated police-power controls.

5. The Marketing Strategy

The first round in any environmental control battle will almost necessarily be an impassioned appeal to "stop pollution" and "save the environment" for "our children's children" against the "ravages of uncontrolled development." Any voices of balanced judgment are banded together with "unscrupulous developers and land speculators."

A second ingredient might be called clamor generating. This is an attempt to persuade the average citizen not only that he is deeply concerned about growth and development—which many citizens are—but also that increasing public controls over private property is the sole solution to the problem. The Vermont Natural Resources Council obtained a grant of $120,000 in 1971 from the Ford Foundation to underwrite an Environmental Planning Information Center.

According to the Ford Foundation *Letter* announcing the grant, a major function of the council was "to ensure the widest communication and understanding of facts and maximum public participation" before a plan was submitted to Vermont's legislature. For openers, the program produced a slide show entitled "So Goes Vermont . . ." As noted in a report of the same name, prepared by The Conservation Foundation (Washington, D.C.): "The sound track's only voices were those of Vermonters who watched brutal subdivision builders chop away at their land and expressed their hope that Act 250 could put a stop to haphazard growth." "So Goes Vermont . . ." was shown extensively at public meetings and on television.

Third, following the generation of sufficient clamor for stopping pollution, comes the bait and switch so beloved by discount merchandisers. Once Vermonters were foaming at the mouth about the iniquity of pollution, Governor Salmon pulled the switch. Instead of antipollution laws, he explained, the real need is to put the state in charge of growth. The state must have the power to veto growth, he stated, even where the proposed development meets ecological standards.

Fourth, the marketing strategy calls for outspoken vilification of opponents. It is necessary to portray opponents of state land-use controls as, to use Governor Salmon's terms, "land rapists and fast buck artists," whose every argument is unworthy of a public hearing.

Perhaps the nadir of this technique was reached on February 15, 1973, when the environmental conservation secretary launched this missile at the Landowners Steering Committee: "This group is using tactics we have seen throughout the nation—techniques of fear, distrust, distortion, hysteria, misstatement, and innuendo. All these far out types, regardless of what they are pushing—crime, drugs, prostitution, communism, fascism, or land speculation—use these same techniques and then try to hide behind our Constitution."

Fifth, the legislative component of the strategy calls for the progressive expansion of the controls to every single lot in the state. Otherwise, small operators will "nickel and dime" the environment to death. The Grand Design cannot be effected if small operators can do as they please.

Sixth, the map is to be avoided at all costs. Production of a map has a strong impact on the public. It dramatizes that a state land-use plan is state zoning, something backers in Vermont were at pains to deny until the appearance of the map made further protest pointless. The last-ditch attempt of Governor Salmon to eliminate the map requirement in the 1974 legislature underscores the truth of this observation.

The central thrust of the Vermont experience was to replace freehold property with social property, the desirability of which is the basic tenet of the New Feudalism. The Old Feudalism was not without virtue. It meant military security in an age of brigandage and invasion. It curbed economic fluctuations by preventing alienability of land. It was a strong force for social stability. It imposed a system of mutual rights and responsibilities tied to the use of land, some of which might profitably be restored in our own day.

The problem of the Old Feudalism was that it stifled freedom, productivity, and self-government. And that will also be the problem of the New Feudalism. If fully implemented, it will mean the concentration of all power to use, exchange, and perhaps even to enclose land in the hands of a governmental bureaucracy. With the government in control of all land-related economic activity, in addition to all the functions already under governmental control, clearly property would cease to be the basis not only of economic activity but also of individual liberty. Could John Adams, James Madison, Thomas Jefferson, or even Alexander Hamilton have conceived of a republic of free citizens in which the State holds full control over land? Merely to ask such a question is to answer in the negative.

The choice, happily, is not between the New Feudalism and destruction of the environment and natural resources. As noted above, a host of techniques exist for guiding responsible land use and growth—techniques that may not be wholly laissez-faire but are not founded on the doctrine of social property. After six years of near-hysteric thrashing about in pursuit of a restored feudal society, the tide in Vermont has now turned in the direction of alternative techniques. The same result can occur in other states—provided the New Feudalism can be held off long enough for wiser heads to prevail. ■

John McClaughry is president of the Institute for Liberty and Community, Concord, Vermont. This article is adapted from his "The New Feudalism," which appeared in Environmental Law *5, No. 675 (1975),* © *Environmental Law, Inc.*

Revolution In Rhode Island

David E. Long

Not long ago I stood atop Acote's Hill, in the town of Chepachet, Rhode Island. Looking to the southeast, toward Providence, one sees thickly forested rolling hills. I tried to imagine the thoughts of Thomas Dorr as he watched those hills, looking for the 3,000 militiamen he knew had been sent to crush him and his few score partisans. No battle was fought there; knowing the odds were insurmountable, Dorr fled and his followers dispersed. Thus ended a dark and now largely forgotten chapter in American history.

Acote's Hill is a small hill; Chepachet is a small town, hardly the sort of place in which one would envision great issues of political philosophy being resolved, but it was there that the last battle of what is now called "Dorr's war," or "Dorr's rebellion," took place. In the early 1840's Thomas Wilson Dorr and his partisans engaged in a struggle for constitutional revision in Rhode Island. The climax of this movement was a small rebellion, as rebellions go, hardly deserving the title of "war." Yet some great questions were decided.

In the United States in 1840 people were constantly attempting the previously untried, continually questioning the relationship of the individual and the State, forever optimistic in their belief that human institutions are perfectible. This was the era of Robert Owen's Oneida experiment, of the establishment of "New Zion" in the desert of Utah by the persecuted Mormons and of Brook Farm in Massachusetts.

In 1828 Andrew Jackson had been swept into office by a people tired of a government run by an aristocratic (though highly talented) elite. Jackson, who was in no way a common man, was hailed by the common people as their champion. For eight years he ruled the country with an imperiousness not dreamed of by his Jeffersonian predecessors. "Old Hickory" sparked the emotions of the carpenter, the dockworker, and the day-laborer as had no president before him. It was no longer necessary to be a Virginia gentleman to aspire to positions of power—this was the age of the common man. Every man was as good as his neighbor, no matter if that neighbor were more intelligent or better educated or more propertied.

The Jacksonian influence was felt everywhere, not least in Rhode Island, where the people were beginning to chafe under a government whose constitution dated back to the royal charter issued to John Clarke by King Charles II of England in 1663. It had not since been amended or altered in any way, even during the American Revolution, and was objectionable on several counts.

First, it limited suffrage to white males of majority who owned a minimum of $134 in land, and to their firstborn sons. A whole new class of prosperous merchants, lawyers, and

other professional persons found itself with no voice in its government. Further, and more significantly, there had arisen a very large class of what we would today call blue-collar workers—carpenters, mechanics, blacksmiths, grocers. Since the early 1830's their desire to take their place in the political sun had been steadily growing, until by 1840 they were ready to seize it, by force if necessary.

Second, the population centers of Rhode Island had shifted considerably in the nearly 180 years since the granting of the charter. Newport, one of the earliest towns in Rhode Island, was represented out of all proportion to its 1840 population. Providence and the upstate counties in general had greatly increased their population and wealth (and tax burden!) relative to the downstate, Newport area, but they had no more delegates to the state legislature than they had had almost 200 years earlier.

Finally, even if the Charter government, as it came to be called, had wished to amend its constitution to rectify some of these inequities there was no legal machinery for doing so. Since the charter had been granted by the Crown it could only be altered upon successful petition to the Crown. The American Revolution had totally severed the old relationships, however, and, in the case of Rhode Island, had not replaced them with any effective substitute. The states were deemed sovereign, both by themselves and by the Federal government. This was a fine dilemma. There was no outside agency to initiate or authorize change, and there was no internal legal means of altering the highest law of the state. Hence no change was possible—so reasoned the ruling conservative clique, at least.

Throughout the 1830's there was increasing agitation for change. Following the landslide reelection of Jackson in 1832, nonlandholders throughout Rhode Island clamored ever more insistently for the vote. One early leader of this so-called workingmen's movement, a Providence carpenter named Seth Luther, championed the cause of the disenfranchised in a series of fiery speeches and pamphlets in 1833. Basing many of his arguments on those of Jefferson, he claimed that "the people" have the right to establish, and alter, the law of the land.

The first organized opposition to the Charter government arose in 1834 with the formation of the Rhode Island Constitutional party. Leaders of this party consisted for the most part of business and professional men from the northern parts of the state. They were moderate, but committed to political reform. During the next few years, however, their proposals were uniformly rejected by the conservative majority in the legislature. The Constitutional party, blocked at every turn, finally collapsed in 1837 as a result of a landslide vote in Rhode Island against the policies of President Martin Van Buren. (The Constitutionalist leaders, including Thomas Dorr, were believed to be partial to Van Buren.)

For the next three years there was little organized agitation for reform. The Whigs and Democrats, in the absence of any countervailing political force, drifted along, unworried about rights or principles as long as they held the reins of power.

Rhode Island's constitution dated back to the royal charter granted in 1663 and had not since been amended or latered in any way.

The election of 1840, "Tippicanoe and Tyler too," helped set the stage for a revival of the suffrage movement in Rhode Island. Observes Peter J. Coleman in *The Transformation of Rhode Island,* "Certainly the fact that less than 9,000 freemen voted in one of the most fiercely contested elections in early American history did not go unnoticed, especially since the suffrage law forced about 15,000 of the 25,000 adult males in the state to stand on the sidelines as mere observers."

A new group, calling itself the Rhode Island Suffrage Association, was formed in the spring of 1840. Local branches were set up, and appeals were made to the General Assembly for constitutional reform, suffrage extension, and popular rights. The legislature continued to ignore the reformers, although it did call for a constitutional convention to be held early in 1842. Inasmuch as delegates to this convention would be chosen only by those who already enjoyed suffrage, and not by those who were seeking it, it held little promise of any meaningful reform. The Association responded in 1841 by stepping up its activities. Numerous rallies and mass meetings were held throughout Rhode Island, both north and south.

By mid-1841, all appeals to the legislature having failed, the reformers began seriously to consider moving in a new, and far more radical, direction.

Thomas Dorr was an unlikely, and for some time a reluctant, revolutionary. Born on November 5, 1805, a native of Providence, he graduated from Harvard College in 1824 with a degree in mathematics. He then studied law in New York City and later in Providence, where he was admitted to the Rhode Island bar in 1827. Dorr was elected as a Whig to the Rhode Island House of Representatives in 1834, where he was instrumental in obtaining the passage of a significant bank reform statute (1836). This did not greatly endear him to a number of the more conservative financial interests in the state, distrusting as they did change of almost any kind.

From 1834 until the demise of the Constitutional party, Dorr was an activist in the suffrage and constitutional reform movement. His association with the party ended rather disastrously with the elections of 1836, in which he had run for an at-large seat in the U.S. House of Representatives and was soundly thrashed. When he was invited in late 1841 to enter the elections for the Suffrage Association's constitutional convention, he accepted eagerly.

In early 1841 the General Assembly, facing continuous pressure from the reformers, called for a constitutional convention to be held later that year. This maneuver had worked well in 1824 and 1834, venting political frustrations without actually changing anything. The Suffrage Association, not so easily mollified, called its own People's Convention in the spring of 1841 for the purpose of

writing a completely new constitution for Rhode Island. Delegates were elected from across the state. The convention, chaired by Thomas Dorr, completed its work in November 1841 and submitted the People's Constitution to an extra-legal election in which all legally resident males who had reached their majority were permitted to vote.

Two excerpts from article I, the statement of principles, illustrate the extent to which the framers based their arguments on those of Jefferson and the Declaration of Independence (emphasis mine).

> All men are created free and equal, and are endowed by their Creator with certain natural, inherent, and unalienable rights, among which are life, liberty, the acquisition of property, and the pursuit of happiness. *Government cannot create or bestow these rights... but it is instituted for the stronger and sure defense of the same....*
>
> All political power and sovereignty are originally vested in, and of right belong to, the people.... The people have, therefore, an unalienable and indefeasible right, in their original, sovereign, and unlimited capacity, to ordain and institute government, *and in the same capacity to alter, reform or totally change the same....*

Among other features, the new constitution granted suffrage to all adult (white) male citizens of one year's residence; eliminated the inequitable apportionment of seats in the state legislature; provided strong guarantees for the freedoms of assembly, religion, press, and private property; included procedures for constitutional amendment.

The People's Constitution was ratified in December 1841 by the incredible vote of 13,947 to 52. This total includes an estimated 5,000 of approximately 8,000 freemen (those legally permitted to vote in state elections). The vote was probably so lopsided because most of those who took the trouble to vote did so in order to affirm their desire for change. A significant percentage of Rhode Island's freemen simply ignored the whole affair rather than lend it the appearance of legitimacy by their participation. Then, too, many of the conservatives felt that this movement would soon run its course and that it would go away more quickly if they just pretended it didn't exist. There is no gainsaying the fact, however, that the Dorrites had now won a significant victory. Nearly 14,000 votes out of an estimated 22,000 to 25,000 potential voters, especially in an election not sanctioned by the state, was a mandate that could not be ignored.

Meanwhile, the Freeman's Convention of the Charter government, having convened in November 1841, had been drifting along, contemplating no reforms of substance. By February 1842, however, pressured by the success and apparent threat posed by the People's Constitution, the delegates moved to a more moderate position on the key issues of suffrage extension and apportionment. But it was too little, too late. In a legally convened referendum held in March 1842 the Freeman's Constitution was *defeated,* by a narrow margin, 8,689 to 8,013. The Charterites had made a *crucial* concession in permitting all white males of majority to vote, rather than limiting the elections to freemen only. In doing so they implicitly recognized many of the claims of the disenfranchised. The Dorrites should have been able to exploit this concession to good advantage but apparently let it slip.

All appeals to the legislature having failed, the reformers began seriously to consider moving in a far more radical direction.

The state of Rhode Island now had two governments, *both claiming legitimacy!* Could the issue be resolved without resort to force?

The conservatives, now organized into the newly formed Law and Order party, began to take action against this threat to their entrenched interests. 1) They rammed the so-called Algerine Law through the legislature. This law proscribed acts of subversion or treason against the Rhode Island government and specified stiff penalties for violators. It was aimed specifically at the Dorrites and amounted to a declaration of martial law throughout the state. 2) The conservatives began a campaign of pressure and intimidation against the more respectable elements among the proponents of the People's Constitution, now popularly referred to as Dorrites. 3) Gov. Sam King sent a delegation to President John Tyler to ask for the support of the Federal government in case of civil disturbance.

In April 1842 a statewide election was held under the People's Constitution in complete disregard of the Algerine Law. Thomas Dorr was elected governor, and a host of other supporters of the People's Government were elected to various state and local positions (small wonder—they were the only ones running for office under the new constitution!). Its petition to the Charter government for the use of the State House having been denied, the new government assembled on May 3, 1842, in an unfinished foundry building in Providence. Apparently the delegates assumed, with incredible naiveté, that the Charter government would soon "pack it in," much as the Federal government under the Articles of Confederation had, some 50 years earlier, when the new Federal Constitution was ratified.

In early May 1842 the tension was mounting fast in Providence. Business and commerce were at a standstill, everyone awaiting the outcome of the confrontation between the two rival governments. After a brief two-day session the People's Legislature adjourned without gaining control of the State House, archives, or law courts. At this crucial time, with the balance of power in sway, Dorr slipped out of Providence for two weeks to seek support, or at least an assurance of nonintervention, from the Federal government. Tyler was noncommittal. Dorr returned in mid-May to find the situation deteriorating, his support crumbling, largely due to the inaction of himself and his principle supporters. It was said by some that Dorr had lost his nerve, since it was rumored that he had left Providence just ahead of an attempt of Charter authorities to arrest him under the Algerine Law.

Dorr decided that a bold strike was called for if he was to regain his fast-dwindling support. He chose to take the Providence Arsenal, a key symbol of state authority. The Dorrites gathered late in the evening of May 17, planning to attack shortly after midnight. The battle of the Providence Arsenal has been described by many as a comedy of errors, as indeed it was, but it was the decisive turning point of the rebellion. Thomas Dorr placed his followers in front of the Arsenal and demanded its surrender. He was refused. Around midnight a dense fog rolled in off Narragansett Bay, and when the fog cleared out around dawn most of Dorr's militia had apparently cleared out with it. Before retreating Dorr ordered the firing of his only two cannon at the Arsenal's main gate. The guns wouldn't fire, either because the wicks had been dampened by the fog or because the cannoneers hadn't loaded them properly. Dorr fled; the rebellion was crushed.

He hid in Conneticut for a month, returning in late June for a last stand on Acote's Hill in the town of Chepachet, in the northwestern corner of Rhode Island. He had been assured of substantial support, but when he arrived he found fewer than 200 ready to continue the fight against the Charter government. Receiving word that 3,000 state militiamen were marching on Chepachet, Dorr sent the opposing commander a letter of surrender and fled again, this time to New Hampshire, where he stayed for over a year. He finally returned to Providence in October 1843. He was immediately arrested, tried, convicted of treason, and sentenced to life imprisonment at hard labor. After a little more than a year in prison, Governor King pardonned him, and Thomas Dorr was released, broken in health and spirit, to live out his remaining few years in relative seclusion in his native Providence.

The most important consequences of the Dorr Rebellion lie in the judicial precedents set in the Federal courts during the years following the uprising. The most important of the court cases was *Luther v. Borden.*

On June 29, 1842, in Warren, Rhode Island, some militiamen, claiming to be acting under martial law, had broken into the house of Dorrite activists Martin and Rachel Luther (no relation to the early suffragist Seth Luther). Not finding Luther, they roughed up his mother and household help. Luther himself had fled across the border to Massachusetts. In November 1842 Luther filed suit in Federal court charging Borden and his band with illegal trespass under the People's Constitution, which Luther claimed had been the rightful law of Rhode Island at the time of the assault. The case was first argued in the Federal Circuit Court for Rhode Island in 1843. The judges were totally antipathetic to the rebel cause, and a directed verdict of "not guilty" by the jury was a foregone conclusion.

The case was immediately appealed. It was not until early 1848 that the case was argued in the Supreme Court by some of the foremost constitutional experts of the time. For the Dorrites (Luther), Benjamin F. Hallett, a leading Massachusetts Democrat; George Turner, who had helped

Thomas Dorr was an unlikely, and for some time a reluctant, revolutionary.

defend Dorr in his trial for treason; and Nathan Clifford, then Attorney General of the United States, serving in a private capacity. For the defense (Borden), John Whipple, a leading Law and Order partisan, and Daniel Webster, then nearing the height of his famed oratorical powers.

Arguing for the plaintiff, Hallett made these points: the people of Rhode Island had overwhelmingly ratified the People's Constitution in a free and open election; sovereignty taking precedence over any particular forms, procedures, or circumstances previously set up for the people's governance, *including the legislature itself;* therefore "there was no *rebellion,* because a new fundamental law was established, ... no *treason,* for a new oath and a new allegiance grew out of this fundamental change of law" (quoted from Hallett by Marvin E. Gettleman in *The Dorr Revolution: A Study in American Radicalism, 1833–1849,* p. 137). The real act of rebellion, Hallett contended, was committed by the *Charterites,* in opposing the clearly expressed desires of the rightful citizens of Rhode Island. Hallett devoted a considerable portion of his time to a discussion of the "anomalous" and "lawless" martial law. He urged the Court to reject the then (and still) current notion that a state had the right to create, with a stroke of the pen, "military despotism." Finally, Hallett urged the Court not to evade the central and crucial question of the nature of popular sovereignty. He asked it to decide unambiguously which of the two state governments had in fact been legitimate at the time of the trespass.

The defense—Whipple leading off, followed by Webster—aggressively countered Hallett's arguments. Whipple claimed that the adoption of the Federal Constitution had ended forever the right of revolution in the United States and that the established government (state or national) had the right to use any means to suppress rebellion. Webster continued, granting that the people are sovereign but claiming that they can exercise this sovereignty only "through the prescribed forms of law." He pointed out that if any person or group could set aside the laws of a state, even its constitution, at will, then that state would soon degenerate into anarchy. Anyone would be able to set aside an unfavorable court ruling simply by declaring himself to be an adherent of some government other than the established one, under which, presumably, the act in question would be considered legal. Neither Whipple nor Webster really addressed himself to the fact that an overwhelming majority of the people of Rhode Island had in fact ratified the new constitution, nor did they adequately explore the question of how change is to be initiated within a government when that government is highly resistant to reform.

In January 1849 the Supreme Court, in a decision written by Chief Justice Taney, ruled against the Dorrites. Taney held that his Court did not have jurisdiction over questions of intrastate political sovereignty. In addition, a ruling for the Dorrites would in effect make outlaws of the officers of the Charter government and would result in endless legal wrangling

over any or all acts enacted by the Charterites in the years since the rebellion.

Thus was Dorr's war brought to a final end by the decision of the highest court in the land. The rebellion was a failure, although it had pressured the Charter government into grudging reforms, including an enlarged franchise. But the forcible repression of the revolt, combined with the adverse court decisions, served notice to the people of the United States that the roles of government as servant and of the people as master, as envisioned by Jefferson and others, were changing. Samuel Eliot Morison, writing in the *Oxford History of the American People,* (1972), makes this comment on the decision of the Court: "The effect of that decision, to this day, has been to deny constitutional reform in certain states, including Massachusetts, unless by permission of the government which needs to be reformed."

Dorr's war presents us with a fascinating case history of an attempt to effect radical reform. It provides an almost unique spectacle of two peaceably instituted, peaceably elected governments contending for jurisdiction over the same geographical area. Of course there was never any thought of attempting to implement a system of competitive, coequal governments (or protective agencies).

Modern libertarians, indeed, political reformists of all persuasions, can draw a number of lessons. First, educational efforts, no matter how successful, may not be enough to effect reform. If State power is closely held in the hands of a few, the few will guard that power jealously. By 1842 a large majority of the citizens of Rhode Island were convinced of the need for reform, but only the immediate threat of revolution induced any (grudging) attempts toward change on the part of the ruling elite. Second, any efforts to oppose or reform the State must be well organized if they are to succeed at all. Those involved must be aware of the implications of their actions and must be ready to risk everything or nothing at all. The Dorrites were not initially prepared to take the full measures required to bring their revolt to a successful conclusion and so, at critical junctures, were hesitant or vacillated.

The final question is more personal in nature; there is no universal answer. How far does one allow oneself to be pushed by the State before pushing back? At what point is one, as an individual, willing to abandon the security of family, home, and property in order to try to change or eliminate a regime viewed as oppressive? At what point does one cease attempts to educate, to promote civil disobedience, to win at the ballot box? What does one do when his breaking point is reached—leave? drop out? take up arms against a sea of troubles and, by opposing, end them? It is always easy for armchair politicians and coffee-klatch philosophers to answer such questions. It is another matter entirely to act on such answers. For all his errors, Thomas Dorr met the challenges of his day and place as best he knew how.

At the foot of Acote's Hill there is a large boulder, fixed to it a bronze plaque:

Erected by
The State of Rhode Island
In Memory and Honor of

THOMAS WILSON DORR
1805 – 1854

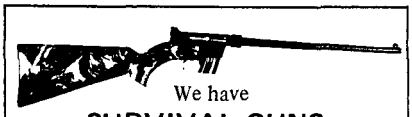
of Distinguished Lineage
of Brilliant Talents
Eminent in Scholarship
A Public Spirited Citizen
Lawyer, Educator, Statesman
Advocate of Popular Sovereignty
Framer of the People's Constitution
of 1842
Elected Governor under it
Adjudged Revolutionary 1842
Principles acknowledged Right 1912

"I stand before you with the greatest confidence in the final verdict of my country."

The right of suffrage is the guardian of our liberties."

The people of Rhode Island have not forgotten Thomas Dorr. Neither should we. ◻

A computer systems analyst and programmer, David E. Long is the chairman of the Massachusetts Libertarian Party and is a member of the LP's national Executive Committee.



We have
SURVIVAL GUNS

List Price: $7.95
Our Price: $6.95

We specialize in suppressed information. At discount prices. Information on the **practice** of freedom.

Among other books we have are:

–SMALL FORTUNES IN PENNY GOLD STOCKS

–THE ADVANCED CONCEPTS OF POKER

–THE POOR MAN'S JAMES BOND

–HOW TO HIDE ALMOST ANTHING

–LOCK PICKING SIMPLIFIED

–HOW TO CUT YOUR FOOD BILL BY HALF OR MORE

–CB RADIO OPERATOR'S GUIDE

–HOW TO AVOID ELECTRONIC EAVESDROPPING AND PRIVACY INVASION

–PRINCIPLES OF PERSONAL DEFENSE

–HOW TO DEFEND YOURSELF IN TRAFFIC COURT

–MOONSHINER'S MANUAL

–THE EXTRACTION OF FREE GOLD

–and many, many more, including firearms and explosives, silencers, unarmed combat, paralegal skills, retreating, magazine and book publishing, improvised weapons . . . .

YOU ARE WHAT YOU KNOW. Don't rely on the Government or other Establishment sources for knowledge. Help yourself. Send for our free catalog today.

"Everything you ever wanted to know about things you aren't supposed to know."

- - - - - - - - - - - - - - -

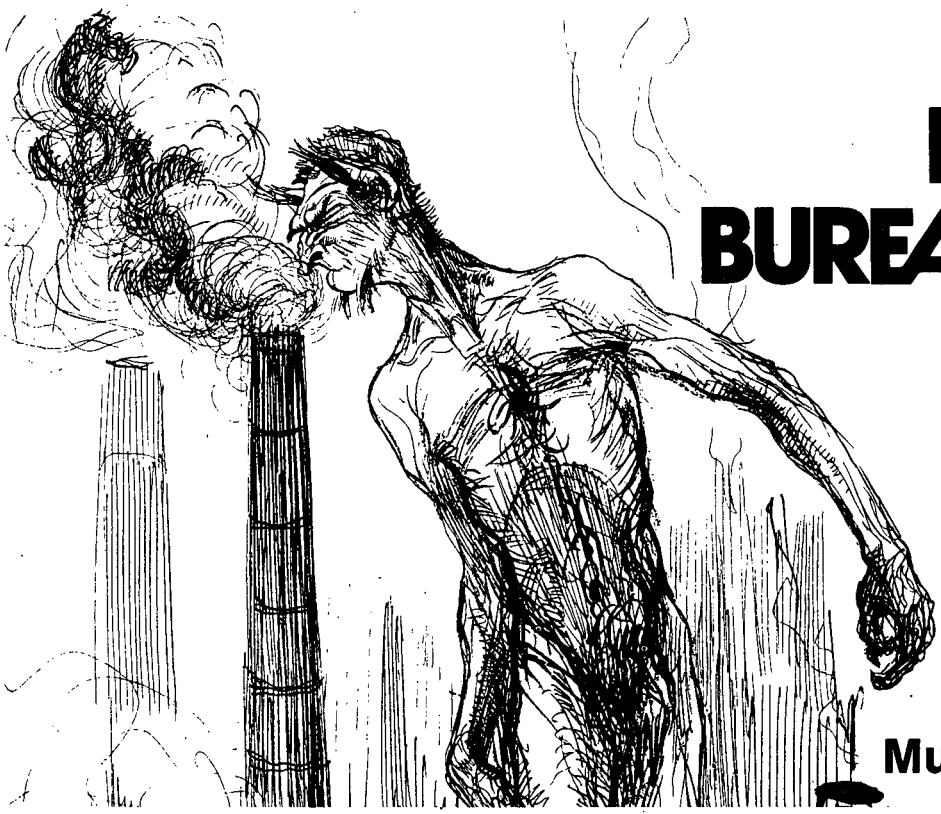
LOOMPANICS UNLIMITED
Box 264
Mason, Michigan 48854

Sirs: Please rush me your book catalog.

Name_____

Address_____

City_____ State____ Zip____



FUEL FOR BUREAUCRATS—OR PEOPLE?

Murray Weidenbaum

At first blush, the proposal to encourage development of a synthetic fuels industry with $6 billion in Federal loan guarantees seems very attractive. On the surface, it would apparently promote energy independence without imposing a burden on the American taxpayer. How can anyone possibly object? Unfortunately, it seems that the role of the economist often is to serve as the wet blanket, pointing out the discrepancy between the ideal and the reality. And the economist's job with respect to the proposed loan guarantee is no exception. On the other hand, encouraging domestic energy development is an important national objective. But is Federal subsidy the best way to do so?

As someone who has studied and worked in the area of Federal credit programs, I am aware of their various effects, both intended and unintended. But before I get to that set of technical questions, I want to raise a more basic issue. Why does the domestic energy industry need Federal credit assistance in the first place? It certainly is not a matter of the mere size of the undertaking. After all, the $7-billion Alaska pipeline project is proceeding with private financing.

Nor is it a question of the weak financial condition of the industry. Although the profitability of the major oil companies has surely been exaggerated in so much of the current popular discussion, the industry's rate of return over the years is just about average for manufacturing companies.

Neither is it a question of a static or declining demand for energy. Estimates surely vary—and for good reason—yet every forecast of future energy consumption in the United States shows a rising trend. And the projected consumption is far beyond the capacity of existing domestic energy supply sources. Why then is there such a lack of interest in the private sector in going ahead with the creation of a new synthetic fuels industry?

The answer seems very clear: under present circumstances, many such undertakings would be uneconomical. That is, the cost of competitive, conventional sources of energy generally is much lower. But the situation is likely to change as the result of basic economic forces.

In coming years, as more marginal and thus higher-cost conventional energy supplies are used, and these fuels become relatively scarce, the gap is likely to narrow between the cost of conventional fuels and the synthetic alternatives—and then synthetics could become competitive. Yet candor requires me to state the well-known but painful truth. In good measure the price of conventional energy in the United States is being kept artificially low as a result of government policy. Of course we all prefer to pay less for something rather than more, but that is hardly a guide to sensible public action.

What is relevant to present concerns is that the lower the price of conventional fuel is kept, the less attractive is the prospect of developing synthetic fuel. I can only gaze in wonderment at an approach to policy that first keeps conventional fuel prices artificially low (via government controls) and then finds that synthetic fuels will not be developed on a sufficiently large scale without special government assistance.

The natural and more sensible state of affairs is far more straightforward. Eliminate the special price controls on existing conventional fuels. This will both encourage further exploration and simultaneously promote greater conservation. As the price of conventional fuel rises to the cost of synthetics, there will be an automatic incentive for private companies to move ahead. But given the normal desire to minimize risk, private investments will be deterred if there is a strong possibility that the Federal government will step in and assume the risk.

To those who are concerned that

rising energy prices would be inflationary, I have to point out that holding down individual prices is not the way to fight inflation. (It is the classic way to create a shortage). The basic method to dampen down inflationary pressures is well known—deal with the forces that influence the overall price level by reducing the budget deficit and maintaining a moderate monetary policy.

I will now turn to the specific proposal of Federal credit assistance. First of all, it is important to understand that when Congress enacts a new credit program it does not increase the total amount of investment funds available to the American economy. It merely gives some group of private borrowers a preferred position over other private borrowers. It is really a matter of borrowing from Peter to pay (or lend to) Paul.

It is not surprising that the demands for new Federal credit programs are insatiable. Every time one group is singled out for preference, some other group winds up with less credit and asks for similar treatment. Who gets squeezed out? New and small businesses, school districts and smaller local governments, and individuals—generally the weaker borrowers. The remaining unsubsidized private borrowers wind up paying higher interest rates.

Moreover, giving an agency the authority to select the companies that are to receive the financial assistance of the Federal government is a very substantial grant of power. I have recently had occasion to examine the history of the largest such experience, that of the Reconstruction Finance Corporation. The Congress terminated that agency in the 1950's after Congressional committees uncovered a vast array of improper actions, uneconomical loans, and real scandals.

But in attempting to avoid the bad experiences of the RFC, the energy credit proposal is so full of restrictions that it may border on the unworkable. Here are some of those restrictions:

1. The Bureau of Competition of the Federal Trade Commission must review each guarantee. The FTC is to give "serious and meaningful attention" and provide a "comprehensive and adequate" response.

2. The Department of Justice is to make a similar review.

3. The Energy Research and Development Administration (ERDA) must submit a report on each proposed guarantee to the House Science and Technology Committee and the Senate Interior and Insular Affairs Committee. Either House can then disapprove proposed guarantees (of $350 million or more) within 90 days.

4. The Department of the Treasury must concur on the timing, interest rate, and "substantial terms and conditions" of each guarantee.

5. ERDA is to be sensitive to the congressional concern that concentration in the energy business is not to be "further aggravated" through the loan guarantees.

6. Guarantees are limited to construction and start-up costs.

7. A "high priority" is assigned to the demonstration of the synthetic production of pipeline quality gas.

8. If ERDA seeks to override the negative recommendation of a governor, the burden is on it to show that the particular facility is indeed in the national interest.

9. No oil shale commercial demonstration facility receiving a loan guarantee shall be larger than is necessary to demonstrate the commercial viability of the process.

10. ERDA must have due regard for the need for competition in making guarantees.

11. ERDA can require each new commercial project to cover the capital costs for essential public community facilities. (Where the private project cannot adequately provide for the capital costs of new community facilities, ERDA can make direct loans and can forgive all or part of their repayment.)

In conclusion, the proposed ERDA loan guarantee program is undesirable for many reasons. It avoids dealing with the fundamental need to provide basic market incentives to increase domestic energy production although it is intended to aid a new private industry, it would weaken further the basic risk-bearing and entrepreneurial character of the American business system. There is no indication that the Federal credit program would result in any specific increase in domestic energy production. It would be an extremely cumbersome program to operate, moreover, involving many Federal, state, and local agencies, while ignoring the sad lessons of history, notably the RFC experience. And it could well be the beginning of an even larger and more expensive program. The 1976 budget message specifically contemplates that the program will be folded into the Energy Independence Authority.

At the very least, the program would be a major extension of Federal responsibility for local affairs. In connection with each project, ERDA could guarantee up to 100 percent of a locality's bonds for "essential" public activities or it could guarantee the amounts of anticipated tax revenue from the energy demonstration facility. ERDA could even wind up operating plants and selling the products or energy that are produced, in case of corporate default.

I urge policymakers to consider the various alternative ways of promoting the nation's objectives in the energy area—including greater reliance on normal market incentives, reducing regulatory barriers to the use of coal and to the exploration of the outer continental shelf, and stockpiling petroleum to reduce the threat of embargo. ◻

Murray L. Weidenbaum is director of the Center for the Study of American Business at Washington University in St. Louis and adjunct scholar at the American Enterprise Institute for Public Policy Research. This article is adapted from his statement in February 1976 before the Energy Research, Development, and Demonstration Subcommittee of the House Committee on Science and Technology.

MacBride's March On WASHINGTON

An Interview with Roger MacBride

Libertarians who wisely refuse to vote for the "lesser of the evils" may decide to go to the polls this November to support the candidacy of Roger MacBride for the presidency. MacBride is a graduate of Princeton University and Harvard Law School and practiced law with a prominent firm in New York before moving to Vermont in 1960. He served a term in the Vermont Legislature, where he won recognition for his fight to reduce the size of the Vermont bureaucracy. MacBride moved to Virginia in 1968 and operates a farm there. He has authored and edited six books, including his recently-published A New Dawn for America: The Libertarian Challenge, *an excellent, readable introduction to libertarianism. He is the co-creator of the NBC-TV series, "Little House on the Prairie."*

MacBride gained national attention in 1972 when, as a Republican elector in Virginia, he cast his ballots for the Libertarian Party candidates, John Hospers and Tonie Nathan. As a result, Hospers received only sixteen less electoral votes than George McGovern, while both of them lost to Nixon by a landslide. As the LP's Vice Presidential candidate, Nathan was the first woman in American political history to have received an electoral vote.

MacBride was nominated as the Libertarian Party's Presidential candidate at the LP's climactic national convention in New York City in August 1975. A California attorney, David Bergland, was selected as the LP's Vice Presidential candidate, and the LP ticket expects to be on the ballot in a majority of states across the nation.

A cartoon in a recent issue of the New Yorker *magazine depicted a Jimmy Carter booster saying to a doubting colleague: "I like him because he is an unknown quantity." In contrast to Carter, MacBride has written and spoken widely—and consistently—about his stands on the issues. In his nationally syndicated column, James Kilpatrick described MacBride as a "person of high principle," but concluded that the executive office is no place for a person such as MacBride. "Up with competent plumbers!" said Kilpatrick, who described Carter and Reagan as "accommodating fellows" rather than principled candidates, and asserted that "the country needs a good city-manager type, unconcerned with such nebulosities as freedom . . . ."*

The 1976 election will include the candidacies of MacBride and Eugene McCarthy, as an independent, on many state ballots, and the votes they receive can have a definite impact on the outcome of the election.

MacBride has been conducting an active campaign, from coast to coast, flying to appearances in his specially-equipped DC-3. REASON's editor Manuel Klausner interviewed MacBride at a resort near San Diego, where he was resting after several intense weeks on the campaign trail. MacBride is well-steeped in the libertarian philosophy and combined with his knowledge of practical politics and a can-do approach to his personal goals, he is a credible and appealing candidate. An alert and effective spokesman for libertarianism, MacBride has attracted many Americans to libertarian ideas. MacBride is deeply committed to libertarianism, and has dedicated himself to work within the political system to achieve positive social change.

REASON's interview took place shortly before the start of the Republican National Convention. We think our readers will be interested in what MacBride had to say about his campaign and where he stands on the issues.

REASON: Roger, you've served a term in the Vermont State Legislature and you've had a taste of elective office. Why are you running for President?

MACBRIDE: Well, I suppose it's this, that when you perform an act that has as its goal an ultimate revolutionary purpose, you are drawn into pursuing

Photos by Bruce Lagasse

that purpose through to the end. When I cast that vote for Hospers and Nathan in 1972 it was with the intention of perhaps pointing the way towards the libertarian solution to the major problems that afflict the country. And I expected to go back to the farm and be able to raise my daughter and write books and do television, but I got drawn into the Party's activities and at no point could I say no to the next proposal to do something, because I felt that I had committed myself to further the cause as best I could.

REASON: Did you have any idea in 1972 when you cast the electoral vote for John Hospers and Tonie Nathan that you might someday be a Presidential candidate in your own right?

MACBRIDE: No. No such idea, and furthermore I vigorously resisted even the mere suggestion of it for two or three years after that when it was proposed to me.

REASON: To the extent that you're now running a very active campaign coast to coast, Roger, what are your priorities in terms of the program that you'd like to achieve if you were elected to office? What's the first thing you would do if you were elected?

MACBRIDE: Well, I like to say in answer to the many newsmen who've asked me that question that the first thing I'd do would be to put Henry Kissinger on the Amtrak back to Boston to write his memoirs and as soon as he safely arrived I would abolish Amtrak. And I go on to explain that that statement is frivolous of course, but symbolic. That the first priority is to turn around the foreign policy of this nation—to bring to a prompt end the Wilsonian interventionism of the last sixty years and to reclaim in a modern and practical setting the original foreign policy of the United States, which was that of political neutrality. That the same remark, of course, illustrates the second great priority on a federal level, which is that of beginning to slash the intervention of the federal government into the economy of the nation.

REASON: What about the civil liberties area—do you have any priorities or programs concerning personal liberties of Americans?

MACBRIDE: Surely, I feel very strongly in that area. It's an area where the President of the United States and the Congress perhaps have less authority than the state governments and local governments. One thing that must be done immediately of course is to repeal the Harrison Narcotics Act of 1914. Apart from the fact that every individual as a right ought to be able to ingest any substance he wants, whether it's vitamins or heroin or what have you, there's the neglected fact that all drugs were perfectly legal in this country until 1914 and there was no problem. The problem arose with prohibition and the problem is going to be eliminated only by repealing that prohibition.

REASON: Do you think you have a real shot at getting elected, Roger?

MACBRIDE: Oh no. I think it's a possibility of course. The pollsters have said that the independent candidate, if he's saying things that people believe in, could be elected, and I firmly, believe that if everything that we Libertarians say could be heard by all Americans between now and election day that probably Dave and I would be taking the oath of office next January. I think it's unlikely that they will hear or have enough time to comprehend some of the apparently more sensational changes that we advocate. I'd expect that the prospects of election will be moderately good in 1980 and overwhelmingly good in 1984.

REASON: In how many states do you expect to be on the ballot?

MACBRIDE: As of now, it looks like we'll be on about forty. We may get as low as thirty-eight, and we might with good luck be on as many as forty-two, but approximately forty is a realistic

guess.

REASON: Do you have any guess or projection as to how many popular votes you'll poll?

MACBRIDE: No. It's far too early to speculate as to that.

REASON: What effect do you expect your candidacy to have on the American political party system, Roger?

MACBRIDE: I can't analyze that this far in advance. The system is collapsing visibly all around us. The Republican Party clearly is destined for the same grave that the Whigs lie in and what is going to result after November as a consequence of that fact is still veiled from us. I am in hopes that this Libertarian campaign will provide a foundation such that we will be one of the two major parties within this country in the next four years.

REASON: These days, being a Libertarian isn't that much different than being a Republican in terms of supporting a minor party—the polls show that Republicans only have the support of 18% of the electorate. So they aren't that far ahead of the Libertarians any more. Do you expect that the Libertarian Party is going to replace the Republicans as the number two party?

MACBRIDE: Well, in the sense that the Republicans are just going to vanish and that we have the prospect to be the other major party, yes. But certainly not replace them in any sense of stepping into their shoes and having them remodelled. The Republican Party's disappearing because it stands for nothing and when that sort of thing happens in American political life, it's gone. We will be a national party, if we so become, because of the idealism of our cause and of the correctness of our stand.

REASON: Roger, it's predicted in various quarters that maybe only one-third of registered voters will go to the polls and vote for the Presidency in November. Do you have any feel concerning the reaction of the public generally as you've been going around the country on your campaign as to whether they're becoming increasingly cynical towards the system and reacting in a libertarian direction, or are they turning off? How would you describe the receptivity of the American public to libertarian ideas as you've espoused them during your campaign?

MACBRIDE: Well, any candidate who's said that he could answer that question with complete accuracy would be fooling himself. Any candidate is always surrounded by people who tell him he's wonderful, whether they're newscasters or party members or just people who've suddenly discovered he exists. My sense nonetheless from call-in broadcasts, the kind of thing where people could care less what they say, they just want to say what's on their mind, is that people are turned off. They do not care about Mr. Carter. They smother a yawn when they think of Mr. Ford. And that when they hear libertarian ideas, they get excited. Most of them in my experience have said things like, it's a breath of fresh air, it's something new, where do I get in touch, how do I work, I've never been in politics before. We've had much the same reaction from people who saw the national television spot that we aired in July of this year, where many people have written saying we have had no connection with politics before, but here's my check for so much money. I think that attitude is a strong minority attitude. Of course there are those who vigorously dispute what we say, but there too, when for example I talk about legalizing heroin, and people call in vigorously antagonistic to that, at least we're stirring them to think. And it's been my experience in political matters that something that seems radical and sensational today if talked about rationally and repeatedly over a period of time no longer seems so radical and sensational tomorrow. It becomes a part of the accepted idea. I think we're having quite an effect actually.

REASON: REASON readers are aware that among the many facets within the libertarian movement, there are some libertarians who reject the notion of participating in the political process because it's inherently coercive. Obviously as a candidate you've passed that hurdle and you're in a sense working within the system. Let me ask, Roger, how you would identify yourself within the libertarian spectrum in terms of your belief in limited government or in a totally free market where all goods and services are provided on a voluntary basis. How would you characterize your own position?

MACBRIDE: Well, I think all of that's totally irrelevant to the Libertarian Party today. I know that when the Party started it was inherently sort of a protest movement and that there were those within the Party who vigorously debated these questions and it was important to them to outline their stand and to clarify what differentiated them from other libertarians. But now that we're a national movement, with the aim of turning things around and heading in the right direction, I don't think these details matter. They certainly don't matter to me and I've found most of the participants in those early debates have found they don't matter either. When and if we libertarians succeed in becoming those who start systematically and rapidly dismantling the apparatus of government, and we approach the point somewhere down the line wherein the choice will be made, whether a specific function now handled by government and historically handled by government for that matter, should continue to be, or whether free-market, free-society alternatives can be created which will work, then those questions will become relevant again.

REASON: I assume that you're against

compulsory taxation?

MACBRIDE: Sure. Manifestly the taking of something from one person and the delivery of it to another by force is morally wrong.

REASON: If you were elected President, what would be your approach to phasing out the moral wrong of taxation?

MACBRIDE: Well I suppose it's the most difficult question a libertarian can face. There's nothing I can say that's going to add a whole lot of light to the subject and I find myself in a prospective ethical dilemma of insoluble dimensions. It seems to me that if one is to look forward to the kind of society that a libertarian society will be, that we're looking forward essentially to one which is peaceful and just and prosperous and free. We cannot achieve that by creating chaos either in a moral sense or in a practical sense. If a Libertarian administration were to take office in Washington, it would be thrown out, by force if nothing else, if it attempted to immediately undo all of the things that government has undertaken to do in the last 100 years. The markets would be in chaos. People would be without money. They would be without means of earning a livelihood. There would be a situation akin to that in Lebanon at the moment, and I'm opposed to doing that. It seems to me that we must in an orderly and rapid fashion seek to dismantle the government's involvement with all of our lives, as rapidly as is consistent without causing unnecessary harm to people. Now that of course implies for a time, that the government will be continuing to use force in the taking of money from me and others to finance these activities which are being wound down, and I've faced the fact that that has to be. The choice is an impossible one and there is no right answer. The choice is do you cause one kind of human suffering by abolishing taxation and letting the chips fall where they may, or do you cause another kind of human suffering by continuing taxation even though on a reduced scale. It seems to me that all an honest and well-intentioned person can do is to head as rapidly as possible in the direction of no coercion, of eliminating taxation, while handling it in as rational and intelligent and compassionate a manner as possible.

REASON: Do you have any timetable as to what period of time would elapse before you'd be able to eliminate all coercive taxation?

MACBRIDE: I don't know the length of time it might take.

REASON: Of course these are difficult areas, and for many nonlibertarians who may be reading this interview, it may seem shocking to think that goods and services could be provided on a voluntary basis across the board. If you were elected President, you would be sitting in the Executive branch. Unless you were confronted with a Libertarian Congress, how as President would you be able to implement a program towards deescalating the level of taxation?

MACBRIDE: In the first place I would expect the conventional politicians would, like the herd of bulls in the Merrill Lynch television spots, thunder in our direction, having recognized a new direction in American politics, and would be very anxious to establish some degree of bona fides with Libertarians. So I should imagine there would be a honeymoon period of some months during which a great deal could be accomplished, not everything of course. From that point on it would be a matter of the Executive's willingness to twist Congressional arms, as much as Lyndon Johnson did, and I believe that I would undertake that activity with considerable happiness. Beyond that, for the balance of the first two years, I think it would be a matter of the Executive using the veto liberally, much as J. Bracken Lee, the famous tax rebel governor of Utah, used it in the late 1950's. And by the time that alternative was exhausted, hopefully the 1978 elections would be on us and we'd elect a Congress of Libertarians.

The first thing I'd do would be to put Henry Kissinger on the Amtrak back to Boston to write his memoirs and, as soon as he safely arrived, I would abolish Amtrak.

REASON: Roger, do you sense any ethical quandary for a libertarian who might be elected as Chief Executive of the country, if you are required to take an oath of office to uphold and administer the laws? Do you see any problem with the Executive who is a libertarian taking such an oath, in contrast with the legislator who is a libertarian, who could consistently vote against any coercive measure?

MACBRIDE: Yes. Of course there is, and I don't see any solution to that. It's the famous Gordian knot. It can't be untied. This is not a situation created by libertarians and hence there is no purist libertarian ethical solution. One must go at it as best one can with regard to the least harm to the most people and achieve a libertarian solution.

REASON: To the extent the opportunity arose to fill Supreme Court vacancies during your term of office, you'd be able to put in libertarian justices who would be able to do very rapid work in eliminating a lot of the coercive restrictions that have been placed on us over the years.

MACBRIDE: Yes. I think we'll have our first justice in quite some time with the first initial K on the court.

REASON: Well, looking at the prospects for social change in a libertarian direction, it seems to me of all the branches of government, that the Supreme Court may be the most efficient, the most rapid. Of course it takes a libertarian Chief Executive to get a libertarian Chief Justice, so in terms of an approach towards reaching a free society in our lifetimes, I think that President MacBride could be extremely effective.

MACBRIDE: Well, I'd do my best. You can be assured of that. We're both lawyers and you know that I agree with you heartily, the effect of the Supreme Court could be enormous. These recent decisions of the court restricting what human beings can do or upholding the right of the State to tell people what to do have been shocking in the extreme.

REASON: There are many conservative Republicans who give lip service to individual freedom. Many of them support Ronald Reagan, believing that Reagan is against paternalism, and wants to scale down government. If you may recall in our interview last year with Ronald Reagan, he claimed to believe in individual liberty, and that government should not protect people from their own weaknesses, but should only protect people from aggression by others—yet he had a hard time with allowing such conduct as gambling by people on a desert island and he had a hard time with allowing people to do what they want in the area of prostitution or other victimless crimes. Reagan's favoring criminal sanctions for the private use of marijuana, for example, is well known, and his interview indicated that he advocates conscription during

wartime and various other statist positions. Before reading our Reagan interview, some people have felt that Reagan was a libertarian, because sometimes he'd use that word to describe himself. Roger, how would you distinguish yourself from Ronald Reagan?

MACBRIDE: Oh good Lord, that wouldn't be difficult. The more important thing though is to distinguish libertarianism from conservatism. The very things you cite in his interview are the reasons why conservatism has failed so badly in this country. There are idealistic conservatives of course, as there are idealistic liberals, but the conservatives have failed so badly in not recognizing that freedom is an across-the-board matter. They mouth these ideas of freedom, but they're really talking about economics, and they're perfectly sound as far as that goes—it's when they enter into the field of personal lives that they turn Calvinist. They simply believe that there must be an order in society imposed by those who know better than the rest of us, and Mr. Reagan is no different from the rest in taking that view—he simply doesn't see that freedom applies there as well as in economics. Further, Mr. Reagan and the other conservatives have taken what's come to be called an anti-communist view. I'm a little sorry about that designation, because I should think every libertarian is firmly anticommunist—they stand for everything that we don't, they stand for the exact opposite of our views—but the conservatives' kind of anticommunism is gunboat anticommunism, the feeling that the entire world must be protected from communism by the military might or the economic might applied by government of the United States. It's a part of this Wilsonian interventionism that has gotten no ground whatever away from the liberals whom they so loathe.

REASON: You've had contact with many conservatives in the past and you served a brief term as a member of the Board of Directors of *National Review* in the early 50's. What led to your split with *National Review?*

MACBRIDE: It was the same thing that differentiates me from the conservatives now. The difference between a libertarian set of ideas and a conservative set of ideas. In the beginning, you know, *National Review* was the only game that was in town. At the death of what Murray Rothbard calls the Old Right Republicans there was nobody left but myself and Buckley and a dozen or so other people like that. Buckley started a magazine and there were various of us involved who called ourselves then libertarians for that matter, but we were sort of lumped together with the conservatives who were much more libertarian then than now. It was after he got his magazine started and became increasingly perhaps under the influence of older mentors such as James Burnham that the magazine inexorably began to move in this Calvinist, which is an odd thing for a Catholic magazine, but nonetheless a Calvinist direction in terms of morals legislation and the kind of anti-communism which it still espouses. It just got—the stew got too thick for me and I opted out after less than a year.

REASON: Roger, some of our readers are familiar with your intellectual development toward libertarianism. Could you briefly state now, for those of our readers who are not familiar with the process, how you personally evolved into a libertarian?

MACBRIDE: Sure. I was sixteen years old when my father condensed a book of Rose Wilder Lane's for the *Reader's Digest,* and introduced me and my sisters to her. Rose was around sixty at the time and, along with a few other people such as George Schuyler and Albert Jay Nock and John Chamberlain at that time, was a libertarian and felt that the cause was going to die out with their deaths, unless some young people were recruited. She was busily trying to recruit as many intelligent young people as she could, as indeed the rest were and set herself to fascinate me, and Rose Lane, as most everybody who ever knew her will agree, could be the most fascinating person in the world when she wanted to be. My sisters weren't much interested, being nonpolitical, but I was hooked and I used for years to hitchhike up to her house on vacations from school and college and ask her dumb questions such as, "Mrs. Lane, if there are so many hungry people in the world, why shouldn't there be wage and price controls, so that food will be cheap and they can have all they want?" And she would patiently guide me in these matters until eventually I had the philosophy whole and pure.

REASON: In general, would you describe yourself as a nonintervention-ist in foreign policy?

MACBRIDE: Absolutely. I believe firmly that this country ought to, and would if I become President, withdraw from all of the treaty obligations that it has, giving appropriate notice under each of them that we are withdrawing. I would close down most, if not all foreign bases—I would keep those, of course, which might prove to be essential to the defense of the United States, but I doubt that there are any. I would bring home the military forces of the United States from around the world. The defense budget would be drastically cut. What's needed, I think, is a foreign policy which rests upon a stable nuclear deterrent against a possible aggression by the only nation in the world that would dream at the present time of attacking us, and I'm sure it doesn't, but nonetheless we must be prepared for the possibility. We have that stable nuclear deterrent now in the form of the submarines at sea with Polaris and Poseidon missiles, any one of which missiles if launched has the capacity to destroy over five Soviet cities. Now with that kind of kill capacity as a second-strike capability, there's no chance in the world that the rulers of the Kremlin are going to attack this country. But we know, of course, that they have a similar capacity vis-a-vis the United States. I think that so long as that nuclear deterrent exists, and until we can—as a Libertar-

When people hear libertarian ideas they get excited. Most of them have said things like, "It's a breath of fresh air," "How do I work, I've never been in politics before."

ian Administration would—work toward permanent nuclear disarmament, there's no risk of war or nuclear war for the United States. As to the potential of a minor aggression against this country I think a small volunteer armed force for the purpose of protecting us against—well an invasion by Fidel Castro of Key West—we wouldn't nuke Havana if such should happen, we would just brush him off with a small armed force. With these two combined, it's ample to protect this country forever against aggression and to insure a permanent peace for America.

REASON: Given your recognition of the adequacy of our existing second-strike capability, would you be against such proposals as building the B-1 bomber or the cruise missiles?

MACBRIDE: The B-1 bomber is a boondoggle of the worst order, and I think short shrift can be given to any discussion of that. It should be shut down now and permanently. The kind of nuclear defense best suited to avoid observation from above is that undersea and all military experts agree on that. As to the cruise missile, it's apparently unnecessary at the moment. I understand from my military advisors that if necessary it could be reactivated and built within a year. So long as the submarine force that the United States has remains undetectable by technological means, I see no need for development of new and more exotic methods of kill.

REASON: Roger, are there any planks at all in the 1976 Libertarian Party Platform that you don't feel entirely comfortable with?

MACBRIDE: I can't think of any.

REASON: Roger, to the extent that you expect not to be sitting in the White House for the next four years, what do you plan to do in terms of libertarian activities after the campaign is over?

MACBRIDE: Well, my first intention is to sleep. I think I'll sleep like Rip Van Winkle for some months. After I get up I will be thoroughly involved in libertarian activities. I expect to be involved in the wide spectrum of them, both political and philosophical. I don't know whether I'll have the strength to write a book about the campaign, but I do have another book that I have strongly in mind. When Rose Wilder Lane died she left a manuscript that might be a third of a book like her famous one on the discovery of freedom, and it's been my hope posthumously to collaborate with her and write the balance of it so to say, edit her material and update it, and I think that will be a major literary project of mine between 1976 and 1980.

REASON: Roger, before we close, is there anything that you might like to say as a parting word to REASON's readers?

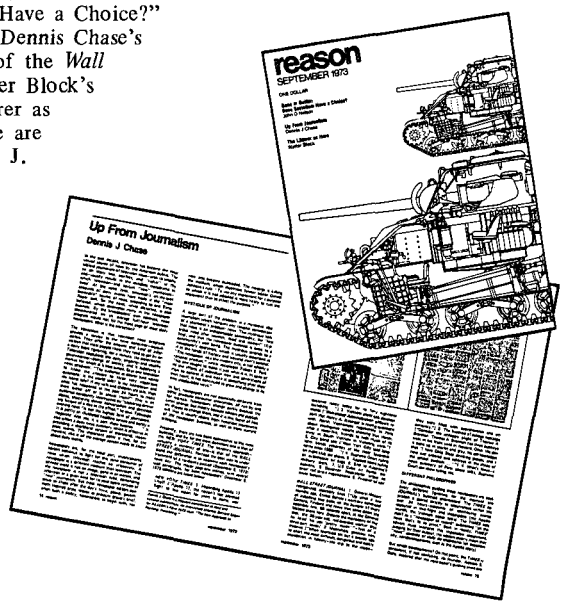
MACBRIDE: Well, just this, that there's a new voice in the land. A voice of liberty. It's going to be heard only to the extent that it gets support from those who believe in liberty. For those of us who have been philosophically identified with libertarianism for many years before the Party was founded, there are obviously bumps. There obviously are tough things to get over. There are obviously the reconciliations of apparently irreconcilable things to be done. But there's no other way but guns to turn things around in this country. We either shoot everybody who's in power, in government, or we replace them with people who systematically and with a vision of an ideal society, proceed to march toward that goal. And for me, I've put aside the troubling questions and decided that I for one will be willing and able to make the tough decisions to get us from where we are to where we want to be.

REASON: Roger, we wish you well and would like to thank you for your time. ◻

Have You Seen...

SEPTEMBER 1973 $1.00

This issue features Prof. John Nelson's thought-provoking article, "Guns or Butter: Does Socialism Have a Choice?" In addition, it includes Dennis Chase's analysis of the success of the *Wall Street Journal* and Walter Block's portrayal of "The Litterer as Hero." Also in the issue are two book reviews—John J. Pierce's critical reaction to Robert Heinlein's *Time Enough for Love*, and Roy Childs' paean to Murray Rothbard's *For A New Liberty*— plus a profile of libertarian publisher Robert D. Kephart.



Please send me_____ copies of the September 1973 issue of REASON at $1.00 each. My check or money order for $_____ is enclosed.

Name _____

Address _____

City/State/Zip _____

Mail to:
Back Issue Dept.
REASON Magazine
Box 40105
Santa Barbara, CA 93103

MAO-IZING AMERICAN EDUCATION

Leonard P. Liggio

Gerald Ford had been President only a few weeks when he made a major speech on American education. On August 30, 1974, suffering from jet lag, I was driving to a conference in Philadelphia when the President presented his judgments at Ohio State University. According to Ford, students are predominantly worried about how to get a job "that makes sense as well as money." Those who graduate from college find they "must acquire further credentials . . . even a Ph.D." "And you know what happens next?" he queried the students. "You go out and look for a job and now they say you are overqualified. In one form or another, this is a Three Shell Game. Our society has been playing tricks with our greatest natural energy source. This is you. And this has got to be stopped."

What did the President propose? First, he would bring education and employers together. On what basis? Since the Lincoln administration (read: first Republican administration) "the Federal Government has been interested in the practical application of education." Ford was setting out an educational model for colleges based on the land-grant system, by which the Federal government gave each state money to bring education and farming together. Now education and industry (especially the energy industry) would likewise be linked up. Industrially oriented universities would be encouraged by the government to work closely with "our great labor organizations."

"I propose a great new partnership of labor and educators. Why can't the Universities of America open their doors wide to working men and women, not only as students, but as teachers? Practical problem-solvers can contribute much to education, whether or not they hold degrees. The fact of the matter is that education is being strangled—by degrees."

Were we hearing straight? Was this the new President of all the people saying what I thought he was saying? In the course of a protracted youth wisely mis-spent on learning about the world around me I had read about education in China a la the Cultural Revolution—and now I detected very familiar concepts. As the Cultural Revolution would have it, the universities were ivory-tower institutions, unproductive for society and in need of restructuring: working-class leaders would become the teachers of the students, while the scholars went forth to aid the workers in practical applications of education. Ford as an American Chen Po-ta crossed my mind, but the President has not seemed to me one who has absorbed any history.

But he was continuing. He wanted the researchers to leave the campuses to bring technical solutions to the workers—"What good is training if it is not applied to jobs?" The aim was increased productivity, a solution to inflation. Since he did not intend to stop government's printing money, real wages could only outstrip inflation via increased productivity. I am not sure what brand of economics that comes under, but to expect to stop

inflation without stopping the printing presses, to expect to stop it through utopian productivity increases, seems like the economics of the Mad Hatter.

Ford proposed new vocational approaches to education to create new jobs and new skills. "Your government will help you create a vocational environment responsive to our needs, but the government cannot achieve personal fulfillment for each of you. You, in this case, are the essential ingredient. Your determination, your dedication, your will will make the significant difference." Like *Peking Review's* model of the dedicated young Chinese who created China's new petroleum industry, Ford declared that American youth, with the Vietnam war over and the draft repealed, have a duty to enlist in his national campaign for increased productivity. Dedication to the nation-state's goals!

Then the President asked us to look beyond this worker-campus-Washington alliance. And where should we set our sights? On China! "With four times the population of the United States, a nation growing at the rate of two New York Cities every 12 months, that vast nation is making very significant technological progress. From a personal observation as well as by records, you can see the Chinese productivity is gaining momentum, and the majority of the Chinese on the mainland today are young people, highly motivated, extremely well disciplined." Thus did Ford celebrate the Chinese example as a challenge for American youth. The young are the "greatest untapped source of energy. But energy unused is energy wasted." So "productivity, yours as well as mine, must improve if we are to have less of an inflationary economy." How? "We need the will, the dedication, the discipline to take action." Discipline, eh!

"At home, the government must help people in doing things they cannot achieve as individuals. Accordingly, I have asked the Secretaries of Commerce, Labor and HEW to report to me new ways to bring the world of work and the institutions of education closer together. For your government as well as you, the time has come for a fusion of the realities of the work-a-day life with the teaching of academic insitutions . . . .

"I am directing the responsible agencies of the Federal government to make a new evaluation of where we are, where we want to go, and where we can reasonably expect to be five years from now . . . .

"There are, for example, approximately 380 separate Federal educational programs beyond the high school level, some duplicating others, administered by some 50 separate executive agencies. The result inevitably is a bureaucracy that often provides garbled guidelines instead of taut lifelines to good and available jobs."

Thank heaven for Parkinson's Law. Think what we have been spared by having 380 separate Federal program's and what discipline will befall us without the 50 separate executive agencies. George III wanted to eliminate the inefficient units between which the Americans free-traded and tax-avoided, through which they forgot deference and were not disciplined—perfect Redskins. Oh, Huck Finn, where are you when we need you most? What would Mark Twain, H. L. Mencken, Albert Jay Nock, Frank Chodorov, and Harry Elmer Barnes have said about all this? And which magazine or Op-Ed page would today publish them in the home of the free and the land of the brave?

Under the land-grant system the government gave each state money to bring education and farming together—now education and industry would likewise be linked up.

But our philosopher-king of Golden Sicily, supported by the 380 Platonic Academies on the Potomac, said more. "Show us how to increase productivity. Show us how to combine new lifestyles with old responsibilities. Show us how universities can work with industry and labor unions to devise a whole new community of learning across this great land. Show us how work-study programs can become a part of the ongoing educational process. Show us how new skills can improve technology while humanizing its use." Oh Brave New World! Yet these are not the mere musings of a transient occupant of the curial chair; chief magistrates come and go, but there are enduring institutions.

One such is the Carnegie Endowment, which has funded a massive study of higher education in America as a guideline to Federal and state policymakers. Ford's speech is the tip of the iceberg of that study, into which the American university ship is sailing unawares. The last quotation above especially reminds me of the analysis made by Clark Kerr, then head of the University of California, now head of that Carnegie study, in his *Multiversity*. (I wrote what I considered a rather incisive interpretation of that analysis a decade ago for a major libertarian review, which typically suffered a demise on the verge of publishing that article.)

I suggest reading Kerr's book, the Carnegie study, or *Peking Review*. Beyond that, I only can recall Huck Finn's description of his feelings when Aunt Polly began talking about educating him. Darn it all, Huck, you didn't explain how to build a raft; and Uncle Sam is breathing down our necks—"Your government will help you create . . . ." Why are Ford, Kerr, et al so determined to destroy liberal arts education? There might be something basically liberating there. As one of the best living educators—who was consequently driven out of higher education for two decades—said, all young people need is a coffee shop, where less-young people who think they know something can talk to whichever students want to listen, and a library, where the young people can go to read about what interested them in the conversations. That seems a better marketplace of ideas than the competition of two nationally disciplined youth generations proposed by Ford. ◻

Leonard Liggio teaches American Studies at the State University of New York College at Westbury. He assisted Murray Rothbard in the writing of the first two volumes of Conceived in Liberty.

DISCORD IN UTOPIA

George S. Swan

Many errors and many disagreements are possible in the field of implementation, but what is essential here is the principle to be implemented; the principle that the purpose of law and of government is the protection of individual rights.——*Ayn Rand*

In his wide-ranging *Anarchy, State, and Utopia,* philosopher Robert Nozick argues the libertarian case, in the process addressing several objections to the minimal state. One of these is the argument that since economic inequalities are often accompanied by political inequalities, the deliberate enhancement of economic equality is defensible to avert or reduce lopsided political power.

Yet Nozick intelligently counters: "The minimal state best reduces the chances of such takeover or manipulation of the state by persons desiring power or economic benefits, especially if combined with a reasonably alert citizenry, since it is the minimally desirable target for such takeover and manipulation. Nothing much is to be gained by doing so; and the cost to citizens if it occurs is minimized." But both the objection and the response are compressed into a single paragraph by Nozick. (Similarly, discussions of economic inequality in Ludwig von Mises' *Human Action* and in Milton Friedman's *Capitalism and Freedom* ignore this anti-minimal-state argument.)

The following discussion demonstrates that political discord arising from special economic interests will, at least on narrow issues, accompany even the libertarian state. Significant policy differences already proliferate among free-society proponents, indicating the outlines of potential politico-economic wars of a future libertarian utopia. Wouldn't it be valuable, then for libertarian thinkers, in response to the challenges to libertarianism on grounds of inequalities of wealth and power, to mobilize a more comprehensive answer than simple capsules of common sense?

Specific policy differences within the free-society fold are abundant. Novelist Ayn Rand, for example, sees a legitimate role for patent and copyright alike. "Patents and copyrights are the legal implementation of the base of all property rights: a man's right to the product of his mind." But economist Murray Rothbard asserts that "bracketing of patents and copyrights is wholly fallacious: the two are completely different in relation to the free market."

Rand contends that the most rational copyright solution is Great Britain's 1911 Copyright Act, establishing the copyright of books, motion pictures, and paintings for the author's lifetime and 50 years thereafter. But Rothbard, who endorses a contractual system of copyright, believes a creator's copyright should be perpetual. In Rand's assessment of patent, "The legal problem is to set a time limit which would secure for the inventor the fullest possible benefit of his invention without infringing the right of others to pursue independent research." Again Rothbard comes down differently. "Patents prevent a man from using his invention even though all the property is his and he has not stolen the invention, either ex-

plicitly or implicitly, from the first inventor. Patents, therefore, are grants of exclusive monopoly privilege by the state and are *invasive* of property rights on the market."

Nozick, who calls attention to the Rand-Rothbard copyright clash, apparently sides with the Randian argument—his publisher prudently copyrighted *Anarchy, State, and Utopia.* Rothbardian libertarians claim that the effect of copyright "can be obtained if authors and publishers include in the contract when they sell books a provision prohibiting its unauthorized printing, and then sue any book pirate for breach of contract;" yet, says Nozick, "apparently they forget that some people sometimes lose books and others find them."

On the other hand, Nozick seems more specific than Rand on the ideal span of patents, suggesting that it be the time independent discovery would have taken absent knowledge of the invention.

The Rand-Rothbard-Nozick tripartite division is paralleled among libertarians on the issue of blackmail. By F. A. Hayek's reckoning, "when the knower of an evil secret blackmails his victim" we have a case of true coercion. Nozick contends that the blackmailer rightly may charge the difference between his profit from exposure and nonexposure of his victim, although he may not charge all that the blackmail market will bear. And to complete the three-way split, Rothbard holds that blackmail should be legal. He implies a response to Hayek: "No violence or threat of violence to person or property is involved."

Rothbard also claims, in support of abortion, "What the mother is doing in an abortion is causing an unwanted entity within her body to be ejected from it: If the fetus dies, this does not rebut the point that no being has a right to live, unbidden, as a parasite within or upon some person's body." But libertarian embryologist Thomas L. Johnson counters, "A woman must have the right to *prevent* conception —to determine herself if she wishes to have or not have, a child—to obtain contraceptive information and materials—but she must also bear the responsibility for sustaining the life of a newly formed human if she willfully engages in intercourse which results in pregnancy." Consistently with Johnson, Robert Poole, Jr., writes in another context, "A libertarian society would be a *full-liability* society, where everyone is fully responsible for his actions and any harmful consequences they might cause."

Rothbard holds that children, lacking the rationality to direct their actions, constitute property owned by the parents. This may clash with his own contention that the so-called mentally ill should retain their liberties. After all, as Peter R. Breggin reminds as to the diagnosis of the mentally ill: "As soon as one person is allowed to judge another person's sovereignty, the other person automatically *loses* his sovereignty. That is a fixed principle." If second parties should not impose on others their assessments of the rationality of the so-called mentally ill, why allow them to do it to the so-called immature?

The respective rights of airlines and landowners are not self-evident to every impartial free-society scholar.

Libertarian conflicts can include those over the respective rights of airlines and landowners. The just claims of both are not self-evident to every impartial free-society scholar. Concedes Milton Friedman:

> The notion of property, as it has developed over centuries and as it is embodied in our legal codes, has become so much a part of us that we tend to take it for granted, and fail to recognize the extent to which just what constitutes property and what rights the ownership of property confers are complex social creations rather than self-evident propositions. Does my having title to land, for example, and my freedom to use my property as I wish, permit me to deny to someone else the right to fly over my land in his airplane? Or does his right to use his airplane take precedence? Or does this depend on how high he flies? Or how much noise he makes?

Nozick discusses a number of issues in *Anarchy, State, and Utopia* that he admits are muddied by ambiguities or differences of libertarian opinion. While himself believing, for example, that a free society would permit an individual to sell himself into slavery, he acknowledges that others disagree. Murray Rothbard sees a person's control over his own will as inalienable and asserts that even volunteer soldiers who enlist for a fixed term should be allowed to quit the job at will.

Nozick personally holds that the benefits contemporary Americans obtain from eating animals do not justify the practice. Needless to say, some thoughtful libertarians differ. In Nozick's judgment animals count for something—some higher animals, at least, ought to be given weight in people's deliberations. But he immediately admits that it is difficult to prove this.

Animal-rights dilemmas can shade into abortion dilemmas if the unborn are considered subhuman. At least one libertarian abortionist, Canadian editor Marshall Bruce Evoy, urges that women having abortions elect to have fetuses anesthetized before dismemberment. If such a practice were imposed by legislation, would it be more like a legitimate (?) protection of animals from wanton imposition of agony or like an illegitimate (?) invasion of the woman's (property) rights?

Libertarians also differ over applications of agreed-upon principles. Nozick refers to problems that would arise in some communities even within a libertarian utopia.

> May the majority of voters in a small village pass an ordinance against things which they find offensive being done on the *public* streets? May they legislate against nudity or fornication or sadism (on consenting masochists) or handholding by racially mixed couples on the streets? Any private owner can regulate his premises as he chooses. But what of the public thoroughfares, where people cannot easily avoid sights they find offensive?

His anticipated difficulties are of the

general type obtrusively with us already.

In 1975 the United States Supreme Court adjudicated a case, *Erznozick v. City of Jacksonville,* challenging the validity of a Jacksonville, Florida, ordinance that prohibited a drive-in theater from displaying films showing nudity if its screen were visible from a public street or area. The screen in controversy was visible from two public streets and from a church parking lot. How would a similar dispute be determined in a libertarian utopia? Precisely why?

Rothbard affords a prime example of what is to him a plainly perceived wrong but which to other intelligent persons reasoning from analogous premises may not be so. "Wiretapping is a contemptible invasion of privacy and of property right, and of course should be outlawed as an invasive act. Few, if any, people would condone private wiretapping." He cites in this regard his principle that it is criminal to invade the property of anyone not convicted of a crime. But honest and thoughtful persons can sharply differ over what acts would be invasive, would invade the property of others.

The U.S. Supreme Court in 1928 adjudicated a criminal case, *Olsmsted v. United States,* in part upon the Fourth Amendment. The amendment, in barring unreasonable police searches and seizures, parallels Rothbard's opposition to property invasions. In that case several petitioner-conspirators had operated from a chief office in a large office building. Through the efforts of Federal officers,

> Small wires were inserted along the ordinary telephone wires from the residence of four of the petitioners and those leading from the chief office. The insertions were made without trespass upon any property of the defendants. They were made in the basement of the large office building. The taps from house lines were made in the streets near the houses.

Was this a contemptible invasion of privacy and of property rights? The Supreme Court thought not. As Chief Justice William Howard Taft interpreted the Fourth Amendment for the majority:

> The language of the amendment can not be extended to include telephone wires reaching to the whole world from the defendant's house or office. The intervening wires are not part of his house or office any more than are the highways along which they are stretched.

Not all libertarians would agree with Taft's thinking. But why not?

Consider instead a case absent any search of a common utility. The U.S. Supreme Court in 1942 adjudicated a Fourth Amendment case wherein Federal agents with the assistance of a building superintendent obtained access to an office adjoining that of the defendant. They utilized a detectaphone with a receiver so delicate as to catch and amplify sound waves from the defendant's office. Was this a contemptible invasion of privacy and of property right? The Supreme Court thought not; it upheld use of the detectaphone evidence as obtained legally and constitutionally *(Goldman v. United States).*

It does not require a Marxian orientation to grasp that imaginative people will attempt to use even the libertarian state for their own economic ends.

None of this is to chide Rothbard for failing to write a law text; the U.S. Supreme Court never has sat as a libertarian authority. It is to suggest rather that real-world cases may elicit radically differing libertarian assessments of what constitutes illegitimate invasion of personal rights. In the Rothbardian view, *"Invasive action,* may be defined as any action—violence, theft, or fraud—taking away another's personal freedom or property without his consent." The reader may judge for himself whether the police activities described above would fall within his definition.

Administrators or legislators or adjudicators in a libertarian polity must confront real-world issues arising from copyright, patent, blackmail, abortion, child abuse, airports, animal abuse, privacy invasion, nudity, and perhaps even slavery. Libertarian theorists will be found on all sides of various controversies arising from these issues.

Lobbyists and advocates will be employed by publishing houses and by wealthy authors (publish for profit) concerning copyright. They will be hired by corporations and by wealthy inventors (invent for profit) on patent. They will be hired by abortionists (abort for profit) as to abortion. They will be hired by well-heeled pediatricians and psychiatrists (treat for profit) regarding the supposedly immature and mentally ill. They will be hired by wealthy airlines (fly for profit) as to flight lanes. They will be hired by drive-in theater chains (pornography for profit), by bullrings and packinghouses (bait and slaughter for profit), and by detective agencies (spy for profit). And could a blackmail lobby be far behind?

Of course, the struggles of special interest groups for favorable policies in a libertarian state must not be exaggerated. Libertarian philosophers supposedly are not for sale. But lawyers are, and they include in their ranks individuals philosopher enough to long protract successful lobbying and litigation by the vested interests. In fact, the great Hayek himself holds a doctorate in law as well as in political science—although he presumably is not for sale.

It does not require a Marxian orientation to grasp that imaginative people will attempt to use even the libertarian state for their own economic ends. One capitalist theorist frankly reports: "People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices. It is impossible indeed to prevent such meetings, by any law which either could be executed, or would be consistent with liberty and justice." This remains as true in 1976 as when Adam Smith published it in *The Wealth of Nations* in 1776.

To find this enunciated from a pre-Marxist, American point of view, consult Number Ten of *The Federalist* wherein James Madison plainly draws

upon Lockean (and libertarian) property rights principles to warn of clashes among capitalists.

> The diversity in the faculties of men, from which the rights of property originate, is not less [than selfishness] an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

Marxists and less doctrinaire opponents of the libertarian movement will be quick to expose the problems inherent in a utopian polity wherein great property ownership is enjoyed by the few. One of the most prominent political books of 1974, the year of *Anarchy, State, and Utopia,* articulately attacked contemporary capitalism's multinational corporations. That volume, *Global Reach: The Power of the Multinational Corporations,* called attention to the fact that in the United States 92 percent of the trust holdings are owned by one percent of the adults; two percent of them own some 90 percent of the corporate bonds and almost 100 percent of all municipal and state bonds. If property owners seldom meet but to promote their special interests, the foes of libertarianism have at least a superficially salable case in proposing that ownership be so diffused as to discourage economic conspiracies. Libertarian theory in its present degree of elaboration cannot provide formulations obviously correct to all of even the most fair-minded, intelligent, and knowledgable analysts; the libertarian state would remain a target for cynical if sophisticated manipulation.

Nozick's minimization of the enduring problem of manipulation of the State by powerful economic interests contrasts with his practicality in other respects. Observe his language in referring to a persistent strand in utopian thinking,

> the feeling that there is some set of principles obvious enough to be accepted by all men of good will, precise enough to give unambiguous guidance in particular situations, clear enough so that all will realize its dictates, and complete enough to cover all problems which actually will arise. Since I do not assume that there are such principles, I do not assume that the political realm will whither away. The messiness of the details of a political apparatus and the details of how it is to be controlled and limited do not fit easily into one's hopes for a sleek, simple utopian scheme.

Critics of Nozick's libertarianism would anticipate the political apparatus controlled in disproportionate measure by the few major property holders and wielded for their ends to the consequent distortion of libertarian principle.

Economically motivated political ferment over at least narrow issues will accompany even a libertarian state. Decided differences over policy do arise among honest and capable free-society adherents; such differences indicate that a libertarian utopia secure from influential, special-interest lobbies exploiting libertarian rhetoric is impossible. It is to be hoped that theorists can develop a comprehensive strategy whereby the threat of economically powerful property owners subverting the libertarian polity—even if with libertarian slogans—can be stemmed. ◻

George S. Swan, who is admitted to practice before the Ohio Supreme Court and the U.S. Court for the Southern District of Ohio, is currently studying for a masters in law at the University of Toronto.

THE NEW HARD MONEY CONTRACTS

NEW . . . from ROBERT L. PRESTON,
Author of
"How to Prepare for the Coming Crash"

"HOW TO SURVIVE INFLATION"

Here is a startling new cassette tape chronicling the rise of gold and silver and the erosion of the U.S. dollar. Discover what inflation is doing to your life insurance, your pensions and your annuities. You'll learn how you, too, can protect your family, your insurance, and your retirement income from the forthcoming inflation and creditor liabilities.

Precious Metals Exchange, Inc.
1892 Forge Street. Tucker, Georgia 30084

I am interested. Please rush me _____ tape(s) by author Robert L. Preston at $9.95 per tape.

( ) Check enclosed for $ _____
I prefer to charge to:
( ) Master Charge
Account number _____
Interbank Number (Master Charge only) _____
Expiration Date _____

Signature _____
Name _____
Address _____
City _____ State _____ Zip _____

DISTRIBUTORS WANTED

Precious Metals Exchange, Inc. is accepting applications for Libertarian / Conservative Distribution.

All training provided. Area Open. We provided the information on:

Survival Products and Services, Gold Bullion and Coins, Silver Bullion and Coins, Dehydrated Foods, Numismatic Advisory, Gold Keogh pension Plans, Tax Shelter Programs, Swiss Bank Account Consulting, Swiss Franc Life Insurance consulting, Foreign Exchange trading, Trading Managed commodity accounts.

Write To:

Precious Metals Exchange, INC.
Box R
1892 Forge Street
Tucker,
Georgia 30084
(404) 938-0742

FOREIGN CORRESPONDENT

HOUSE OF CARDS

Manila, Philippines. President Marcos of the Philippines has been a busy man of late in his continuing efforts to drive the country headlong into socialism. Speculation varies about his motives, but the results are indisputable. The Philippines' economy is being plundered.

Perhaps Marcos is only trying to appease the sizable communist sentiment that exists in the Philippines. He recently issued a decree legitimizing the Hukbalahap movement as a legitimate veterans' association, thus entitling the Huks to all the benefits accorded to members of other legitimate veterans' organizations. The Huks did fight against the Japanese in the Philippines during World War II. But they continued to fight long after the Japanese had left—against the pro-American government of the Philippines, which opposed their efforts to establish a Marxist state.

Perhaps, by pushing onward to socialism, Marcos is simply trying to appease the communist sentiment in nearby Asia, where it appears that the United States no longer wishes to fight on behalf of "marginal" allies. A fawning toast to Chairman Mao last year demonstrated Marcos' desire not to alienate mainland China. He has also renewed once-strained relations with the Soviet Union.

Or maybe Marcos is simply a socialist. In the past six months he has:

- Introduced a system of land use control to "stop the indiscriminate conversion of agricultural lands into industrial and housing sites."
- Formed the Energy Development Board "to accelerate energy developments."
- Condoned plans to establish a government-owned copper smelter and refining plant which will be fully operational before allowing private investors to build one.
- Expressed solidarity, more or less, with member countries of the impoverished Third World, of which the Philippines, as a result of pursuing the policies of Marcos to their conclusion, will most assuredly remain a member in good standing. Marcos threatened "war or death" if the world's rich countries do not share with poor nations, and urged the creation of a new international welfare organization to provide aid and low-cost loans.
- And, of course, maintained martial law in the Philippines, with its innumerable curtailments of individual liberty.

One vocal critic, a former spokesman for the Philippines in the United States, believes that misrule will lead to Marcos' downfall within five years. In a just published book, *The Conjugal Dictatorship*, Primitivo Mijares asserts that economic difficulties will grow as the Marcos government attempts to hold power. In the end, he says, the armed forces will desert the dictator who now spends lavishly on arms to keep their support.

Marcos' one sop to his critics has been appointing 30 officials from educational and business institutions as members of performance evaluation committees, which supposedly will give "more teeth to the drive to improve the public service." Marcos has described the offer of the officials to serve in the audit teams as a "healthy indication of the private sector's concern and desire to help in improving the efficiency, integrity, and morale in the government service."

Baloney. Under the rule of President Marcos, the lights of freedom in the Republic of the Philippines grow steadily dimmer. Five thousand political prisoners are already in jail. And if Filipinos need any further reason to despair, they have to look only as far as the president's wife. Mrs. Imelda Marcos, a decadent beauty known as the Iron Butterfly, is maneuvering to become her husband's successor when he retires. To win the approval of the poor and the urban elite, she has marshalled hundreds of millions of dollars to build public housing and opulent cultural centers. The money has been extracted from private businesses that fear incurring the wrath of the country's most powerful woman. If they do not heed Imelda's demands for "voluntary contributions," they face sudden retaliation from the sprawling bureaucracy of the Philippines.

Thus, the outlook for freedom in this Southeast Asian island nation is anything but hopeful.

MARK COLEMAN

Guest columnist, Mark Coleman, a resident of Honolulu, is a teaching assistant in the communication program of the University of Hawaii. He is a writer for the circulation director of the state's largest underground newspaper, Sunbeams.

Moving?

Don't miss a single issue of REASON. If you're moving, attach your old mailing label in the box provided and fill in your new address below. Allow six weeks for change of address.

old mailing label

name_____

address_____

city_____ state_____

zip_____

mail to:
REASON Magazine
Box 40105
Santa Barbara, CA 93103

COMING NEXT MONTH

REASON for November will be the annual Book Review Issue. Included this year are reviews of Nathan Glazer's *Affirmative Discrimination,* H.L. Mencken's *A Gang of Pecksniffs,* James Q. Wilson's *Thinking About Crime,* Ronald Radosh's *Prophets on the Right,* Thomas Sowell's *Race and Economics,* Robert Hessen's *The Steel Titan,* George Stigler's *The Citizen and the State,* Tibor Machan's *Human Rights and Human Liberties,* Volumes II and III of Murray Rothbard's *Conceived in Liberty,* and a number of other important new books. Contributors to the issue include John Hospers, Arthur Ekirch, Robert Poole, Jr., George Smith, Leonard Liggio, and James J. Martin, among others.

VIEWPOINT

THE DANGER OF OPPORTUNISM

Robert Poole's REASON editorial ("Libertarian Realpolitik," August 1976) is a disastrous and self-defeating counsel for the Libertarian Party and for the cause of libertarianism in general. Mr. Poole poses a dichotomy between the goal of getting libertarians elected to office, and that of educating people in political philosophy, and he opts strongly for the former. But there are several fallacies with the alleged dichotomy itself. In the first place, the goal of the Libertarian Party should not be to *get elected* but to get elected *as libertarians*. But that means "educating people in political philosophy." Furthermore, Mr. Poole would have the LP stop educating people in libertarianism—and thereby in effect surrender or conceal our basic principles in order to con the public—in exchange for *what?* For I submit that even on his own admitted *Realpolitiker* terms, his opportunist counsel is self-defeating. For if the LP simply presents to the public what appears to the average voter (and to myself, for that matter) as a mere carbon-copy of, say, Ronald Reagan (e.g. a balanced budget amendment, and deregulation of industry, which even President Ford favors), why the hell should these voters pull the lever for the miniscule and relatively unknown LP when they could vote for Reagan in the first place? As in the case of the market, it is necessary to *differentiate one's product*, especially in the case of a new and small organization offering itself to the public. Indeed, I submit that those libertarians who want to hide their principles in order to get into office as quickly as possible, have a much more efficient and more *Realpolitik* course open to them: to forget about the Libertarian Party and to join the Democrats of Republicans.

Mr. Poole is also forgetting his *Realpolitik* when he airily suggests that the task of educating the public to libertarian principles be left to "non-party vehicles." One question is: *which* "non-party vehicles"? Since they don't exist, and show no signs of coming into existence, this means that we are left with the Libertarian Party as the only *realistic* vehicle for such education. This point is enhanced by the fact that the American public seems only to care about political principles *in the context* of electoral campaigns, and also seems chronically uninterested in joining any ideological groups except political parties. All this makes the Libertarian Party the only serious vehicle that we are ever likely to have in educating the public in political philosophy.

But most important, Mr. Poole's gravest error is a failure to think in terms of historical dynamics. It is absurd to think that the LP *has* a realistic chance of coming to power immediately; such an electoral majority looms only in the future. The first realistic political influence that we could expect the LP to have, as it grows in strength, is—in the great tradition of third parties—to push the establishment parties in a more libertarian direction. And to do this, once again, we have to establish a clear alternative, a direction in which to do the pushing. But, especially, the terms in which Mr. Poole puts his dichotomy are faulty. The prime task of the LP, as well as of whatever non-party vehicles may emerge, should be to *build the libertarian movement*, to build a *cadre* of dedicated libertarians in continuing communication and acting together in the political realm. But in order to do that, we must "educate" people to become such cadre, cadre who will have influence, even on the number of votes, far beyond their own numbers. If he considers this, he will hardly consider it a failure if each political meeting converts a few cadre to the libertarian cause. If Mr. Poole will examine the history of successful "radical" political movements, he will see that that is precisely how they won—not by opportunistically watering down their principles and programs as soon as they began—but by sticking to their principles which are their sole excitement and glory, and thereby building an ever stronger cadre which adheres to them and spreads their influence. For just one important example in our Bicentennial year, I cite Sam Adams, whose revolutionary and libertarian drive for independence and against British state tyranny did not begin as a majority; the important thing is that it *ended* victoriously and with majority support.

MURRAY N. ROTHBARD

Let those who think as Mr. Poole does join the Democratic or Republican parties, and we will see how successful they will be in our allegedly common ultimate goal. But let them leave the Libertarian Party alone to raise the banner to which those who love liberty and are sick of government may repair—and we will be able to see which strategy will prove, in the long run, to be more successful. Let us see, by the way, how much media attention—which Mr. Poole concedes that the LP has had in abundance—the opportunists who sound very much like other Republicans or Democrats will get. And, by the way, before he sings hosannas to Mr. John Curvers' strategy for the Workers Party of Australia, may I point out that I haven't seen *them* take over Australia yet. When they do so, then perhaps it will be time for us to evaluate their strategy, *as well as* what they will be able to accomplish for liberty once they have achieved their cherished office. ◻

Murray Rothbard is professor of economics at the Polytechnic Institute of New York. Dr. Rothbard's viewpoint appears every third month, alternating with the viewpoints of Tibor Machan and David Brudnoy.

MOVIES

• **SWASHBUCKLER**, the first major pirate film in years, is old-fashioned, romantic, anything but realistic, only slightly tongue-in-cheek, and first-rate entertainment. Robert Shaw and James Earl Jones head an able cast of derring-do pirates, folk heroes to the people of Jamaica and thorns in the side of the island's utterly corrupt Royal Governor (played with convincing menace by Peter Boyle). Genevieve Bujold turns in a fiery performance as a fearless, liberated and determined young rebel, who enlists the aid of Shaw and his pirates to free her father from Boyle's dungeon. Beau Bridges is comical as the slogan-spouting, ineffectual officer assigned by Boyle to do battle with the pirates. The literate script by Jeffrey Bloom, from a story by Paul Wheeler, bristles with frequent swordplay and sparkling dialogue. Especially effective are a daring rescue of James Earl Jones from the gallows in the film's opening sequence, and a verbal confrontation between Bujold and Boyle near the end. A few of the sequences are deliberately overplayed, but for the most part *Swashbuckler* is designed to elicit cheers rather than laughter. Rated "PG."
—Charles F. Barr

• **THE OMEN** is an obvious, contrived and labored effort to cash in on the financial success of *The Exorcist.* But the enterprise is not likely to succeed, because it shortchanges the audience on every ingredient except explicit gore (including a hideous beheading). The plot, tenuously based upon a Biblical prediction of the coming of the Antichrist, finds a U.S. diplomat and his wife (he wittingly, she unwittingly) bringing up a child who is not their own. By the time he is five, it is obvious that not only is the kid a devil, he is *the* devil. This is demonstrated by the awful things that happen whenever he gives out with glassy-eyed, significant stares, and by his refusal to go to church. From here on, the plot gets murkier and murkier, despite the best efforts of Gregory Peck and Lee Remick to keep it afloat. All the overworked cliches are present: a pair of guilt-ridden priests, a midnight visit to an abandoned graveyard (why not high noon instead?), an arcane ritual to destroy the Beast from Hell. Worse, *The Omen* (in sharp contrast to *The Exorcist*) is suffused with an atmosphere of impotent good and efficacious evil. From the standpoint of believability, the movie's greatest flaw is that regardless of the external evidence, the child simply does not act like Satan reincarnated; he behaves like a five-year-old child. And without this believability, *The Omen* becomes a pointless exercise in mysticism and gore. Rated "R."
—C.F.B.

James Earl Jones, Genevieve Bujold and Robert Shaw escape from angry soldiers in SWASHBUCKLER.

• Although few science fiction movies have atomic monsters now, the typical sf film is still likely to be a bit of fluff like *Logan's Run*—heavy on special effects, short on depth. **THE MAN WHO FELL TO EARTH** is different; it treats serious themes *seriously* and with great sophistication. Some hardcore sf fans may not like it because it is not a straight-forward action film a la Asimov but unlike many "artsy" films, this one works.

David Bowie plays the alien who comes to Earth on a desperate mission to save his world and, disguised as human, builds a fantastic Howard Hughes-like technological empire. Bowie's characterization is one of the film's strongest points; his sensitive performance, his mysterious manner and strange, beautiful face create an aura that is fascinating and perfect for the role. The performances of the supporting cast (Candy Clark, Rip Torn, Buck Henry) are also outstanding.

Although the style is somewhat avant-garde, it is essentially a romantic, even moralistic, film that indicts power and corruption. The innocent, totally good hero is no threat to humans yet is menaced by a powerful government that considers his innovations "technologically overstimulating" and a threat to the "social ecology." On a psychological level, the hero struggles poignantly against succumbing to the corruptions of this society and to the alienation of being different and the alienation of despair and loss of loved ones.

Because of the style, the story is sometimes obscure but the hypnotic effect of the visual imagery, Bowie's extraordinary performance and the poignancy and power of the themes more than make up for the flaws. It is a beautiful and thoroughly fascinating film. Rated "R."
—Sharon Presley

BOOKS

THE COLLAPSE OF DEMOCRACY. By Robert Moss. New Rochelle: Arlington House Publishers. 1976. 300 pp. $8.95.

Reviewed by Tibor R. Machan

In efforts to secure liberty one faces the distinct problem of how to utilize existing political institutions that could make the task successful. No community on the face of the globe is as closely wedded to freedom as it should be. The United States and Great Britain are semi-socialist societies, both heading toward fascism rather than the visionary systems of democratic socialism or communism. Fascism is possible; we know this from theoretical analysis and from history. The others, widely touted, cannot be realized. Where socialism reigns, e.g., in Sweden, India, or the Soviet Union, the trend is toward either fascism or virtual totalitarianism. England is itself heading for a variety of these, and only a superlative effort by good people could possibly avert it. The United States is gradually moving toward the fascist system of massive bureaucracy lording over all the activities of its citizens.

Sure, there is talk now of decentralization, deregulation, anti-statism, and a return to localism. But is this more than election-year rhetoric? Both Reagan and Ford talk as if such goals were viable alternatives, only the bureaucracy's and the electorate's sympathies are elsewhere. Democrats, talking mostly to special interest groups, have the edge: the people, in the main, believe that they have it coming from the government. They believe that the pie must be divided, cut up "fairly," distributed "justly," and otherwise spread around. Indeed, it is difficult to argue with the people about this—the pie *has* been ransacked so long, with welfare for the idle rich and poor (idle in work, not in political hussle), that today few can spot other ways to make headway in life. The State has grown immensely, and alignment with it appears to be the best bet for most.

Robert Moss' book treats all this with crystal clarity. He knows that "a society that expends its energies in redistributing wealth instead of creating it will succumb to stagnation and eventually fail to satisfy the very expectations of wealth without work that it has encouraged." He is, for one who has impeccable establishmentarian credentials in British journalism, uniquely perceptive:

> . . . The problems created by egalitarian socialism will all be solved, we are told, by more of the same. State-run industries are inefficient, so we'll have more of them. Private investment has been strangled by rising taxation and Alice-in-Wonderland systems of subsidies and price controls, so we'll have more of these too—and if hopelessly unprofitable firms go bankrupt, why then, we'll haul those into the state sector so as not to lose jobs . . . . It will all be done in the name of Equality and the Rights of Man, but when we are honest about it we will admit, as a leftwing Labor MP was prepared to do in a recent article, that we are doing it because "we are the masters now."

A good bit of this book concerns the realpolitik of contemporary England, but the central theme concerns the nature of democratic communities.

> . . . Liberalism (in its classical sense, of course, and not as applied to *sub rosa* socialists in the United States) and democracy are clearly very different things. Ortega [y Gasset], one of the foremost critics of the trend toward "hyperdemocracy," maintained that "liberalism and democracy happen to be two things which begin by having nothing to do with each other and end by having meanings that are mutually antagonistic." . . . Democracy is a method for choosing (and removing) governments; liberalism is a doctrine for determining what governments should and should not do, and above all for defining the *limits* of governmental power. As Hayek puts it, "Liberalism is a doctrine about what the law ought to be, democracy a doctrine about the manner of determining what will be law."

With his mind turned to Plato, Aristotle and the thought of classical liberals, e.g., Sir Henry Maine, W. H. Mallock, von Mises, Hayek, Lord Robbins and Samuel Brittan, Moss distinguishes contemporary liberalism from the egalitarian, mass, or totalitarian democracy. He then cites Herbert Spencer, "a radical exponent of libertarian thought in nineteenth-century Britain" who noted what Hayek has reiterated recently, namely that "the great political superstition of the present is the divine right of parliaments."

With his delineation of liberal democracy's descent into mass or totalitarian democracy, Moss sets out to trace the actual demise of his own country. This section of Moss' book will be most challenging to those who value liberty. He describes here how the divorce of civil from property rights and liberties makes the former work only for those who want the destruction of the system that has a central place for civil or political liberty within its core. Even in America's experience it is noticeable how readily and unevenly the socialist/liberal elite will proclaim the civil rights of the enemies of capitalism (or its degenerate form, corporatism). One needs but notice the welcome granted Angela Davis at Stanford University (where she was Visiting Professor for the Spring quarter, 1976) even while she supports the Soviet Union without the slightest qualifications. Compare this to the outrage at the Chilean right-wing debacle. Though in America the problem of massive subversion is not yet so pressing we too face, as Moss observes, the danger of the proliferation of *"inverted patriots."* "The 'down-with-my-country-right-or-wrong' syndrome is particularly characteristic of contemporary 'liberal' opinion in the United States." I might add, this has become characteristic of some "laissez-fairists" of late, as well.

Moss' observations are as disturbing as the suggestion he later advances. But first he offers us a brilliant dissertation entitled "The Disease of Money."

> . . . Paper money has value only for so long as people are willing to suspend their disbelief that this can be money at all. If confidence wanes, there is a flight into "real values" (*Sachwerte* is the German word) which will become more and more frantic unless the authorities can find a way of restoring faith in the currency. If they cannot, the flight into gold, jewelry, foreign currency, commodities, property and objects d'art may become a universal rush to buy anything at all that will hold its value as the currency collapses—

canned foods or cigarettes or a pair of shoes. The end, in Weimar, was the death of money as a means of exchange. Society went back to the barter system.

Following such rare observations—and many more, backed with sound economic theory—Moss investigates the Friedmanite "first-best device for a second-best world" and notes that "it must also be conceded that the fears of those critics of indexation who think that it serves to institutionalize inflationary expectations—and thus to perpetuate inflation—also seem to be borne out by the Brazilian example."

Most refreshing in this work is Moss' unqualified acknowledgement of the necessary connection between economic and political liberty. Neglect of one begets neglect of the other, both in fact and in ideologies: "The rejection of the market system is a common link between Marx and Mussolini, Hilaire Belloc and John Strachey, Pope Paul VI and Herbert Marcuse." Then he emphasizes a favorite theme of mine, namely the inadequacy of the efficiency argument for capitalism. He observes that "the inequalities that result through the operations of the market—even the closely circumscribed markets of recent years which bear only a faint resemblance to the Marxist caricature of capitalism—are widely perceived to be arbitrary and 'unjust.' This perception is strengthened when defenders of the market system explicitly deny the possibility of a *moral* justification for inequality or adopt the gospel of mere utility—[Jeremy] Bentham's view that 'pleasure and freedom from pain are the only things desirable as ends'."

This book is difficult to review because it is so often, even essentially, right. Unfortunately it omits the needed theoretical antidote to the attack on liberal democracy, the moral justification of capitalism. It takes it for granted that such a justification is possible, although the few moral conceptions available within its pages don't provide the clue for Moss' own argument.

What Moss does provide is a program of counter-subversion. Here we face the challenge of the strategist who knows what he is talking about and seems clearly to have the right political values. Moss explains that "the weapons used by those who wish to defend it—not only *can*, but in some cases *must* be used if the society under attack is to survive." He notes that

> . . . in the event that a democratic society breaks down irretrievably, it has *two* alternatives to anarchy [the chaotic type, folks—not to worry!], not one: the choice is then between authoritarian or totalitarian rule . . . . Under an authoritarian regime, you are forbidden to engage in politics, but you may well be allowed to travel and marry as you please, to set up any kind of business, to live wherever you choose, and to study courses in economics or political science identical to what might be offered in a democratic country (except at Marxist-run universities like Bremen). A totalitarian regime also substitutes the authority of a self-appointed elite for the political process. But here, politics intrudes on everything: there is no escape, in ideas, economics or life-style, from the politico/bureaucratic conformity imposed by the ruling ideology.

These issues are explored in great detail and where readers will find cause to disagree, they will be met with arguments, evidence, consideration of alternatives and whatever else is appropriate in rational analyses. The main problem faced by this book may be indicated by a quote from John Henry Newman: "Deductions have no power of persuasion . . . . Many a man will live and die upon a dogma. No man will be a martyr for a conclusion." From Moss' discussion we still appear to be faced by this false alternative: irrational dogmas *or* uninspiring conclusions.

The "respectable" writers in the classical liberal tradition—e.g., von Mises, Hayek, Friedman, Nozick today, or Locke, Mill, Spencer, and Maine of earlier times—do not offer a viable moral foundation for the free society. More and more libertarian sympathizers are beginning to appreciate this lack, even in the prominent media. Unfortunately few take a good deal of the growing libertarian literature on this topic seriously enough to fully explore whether there mightn't already be a powerful system of thought by way of which both reason and morality can be shown to support human liberty. Even Moss' call for the last ditch alternatives of authoritarianism could only be of help to liberty if those at the helm were convinced that its protection and preservation are *morally* required. Only that will inspire its rapid restoration after the collapse of democracy. ◻

Senior Editor Tibor Machan is the author of Human Rights and Human Liberties, *among other books. He teaches philosophy at SUNY-Fredonia.*

THE GOOD GUYS, THE BAD GUYS, AND THE FIRST AMENDMENT
By Fred W. Friendly. New York: Random House. 1976. 268 pp. $10.00.

The "Fairness Doctrine" has long occupied a prime spot in the Federal Communication Commission's arsenal against controversy in broadcasting. It can be swung down upon radio and television stations that depart from what appointed commissioners consider to be politically balanced programming.

In his latest book, former CBS executive Fred Friendly recounts the case of a small, right-wing radio station that attempted to defy the FCC. The station broadcast a tape by an outspoken anti-communist preacher in 1964 which criticized a muckraking journalist, Fred J. Cook, who then requested equal time to counterattack. The station rejected the request, was reversed by the FCC, and then appealed to the Supreme Court, where it lost its case.

Friendly is clearly disappointed by the outcome. The First Amendment guarantee of freedom of the press, he believes, applies to broadcast journalism as well as to print media. He is keenly aware of the curious-bedfellows aspect of the case; not only does he, a committed liberal, wind up on the side of conservatives, but he concludes that the Kennedy administration inspired an organized effort to harass unruly right-wing broadcasters. The book is an unsettling look at the fragile quality of freedom of the airwaves, and belongs on the bookshelf of anyone upset by the tepid character of regulated radio and television. ◻

Mark Frazier

LUCIFER'S LEXICON
by L. A. Rollins

born-again, adj. Born twice too often.

free lunch, n. A Barmecide feast.

mouth n. A cavity containing teeth containing cavities.

open marriage, n. Open adultery.

pessimist, n. One who considers an optimist half full of shit, whereas an optimist considers himself half empty.

plain speaking, n. Calling a spade a spade or a war a police action.

WASHINGTON WATCH

COUP AGAINST GUN CONTROL

Proponents of some form of gun control have been dealt a couple of setbacks in Congress, one by over-eager gun control advocates and another by foes of any controls.

Probably a majority of Congressmen favor some "moderate" form of gun control such as registering handguns and banning the so-called "Saturday Night Specials." But control advocates had rigged the legislative schedule so that no vote on new controls would come until after the November elections. They did not want to endanger anyone's reelection by voting for something they claim people are clamoring for.

This timetable has been upset by passage of a tough gun-control measure by the District of Columbia city council. Since the District has only limited home rule, Congress has the power to disapprove laws passed by the local city council. Control advocates, fearful that they would be forced onto the record about the city council measure, were dismayed.

With good reason. From their standpoint, the worst has happened. Libertarian-conservative Ron Paul, a newly elected Republican Congressman from Texas, has introduced a resolution to disapprove the city council's new gun control ordinance. The resolution has a "highly privileged" status—that is, it supersedes ordinary business, will be voted on by the full House, and is not subject to amendment.

A vote on House Resolution 1447 is expected in mid-September; if it passes, the Senate will be asked to consider House Concurrent Resolution 694. The timing is lovely. Congressmen will be forced to take a public position in plenty of time for pro- and anti-gun control lobbies to get word out to the grassroots before the election. This wouldn't have happened if Paul, the most junior member of the House, had followed the conservative consensus, which mistakenly held that a resolution of disapproval would open the whole issue and result in passage of a new law. Paul did his homework—and acted on his own.

STRANGLING THE FIRST AMENDMENT

Two similar bills, now poised for consideration in both Houses, would choke the freedom of investment advisors to offer counsel. The bills would subject the advisors, including publishers of financial newsletters, to regulation and licensing by the Securities and and Exchange Commission.

Libertarian Advocate is opposing the bill, having submitted a statement to the relevant House subcommittee, and some newsletter publishers have formed a Committee to Protect the Small Investor (8401 Connecticut Ave., Suite 606, Washington, D.C. 20015). The controls could be beaten if effective opposition is mobilized, but will probably slip through as "non-controversial" otherwise.

Status: S. 2849 has passed full Senate Banking Committee, and is cleared for action by full Senate. In the House, the Consumer Protection and Finance Subcommittee of the Interstate and Foreign Commerce Committee has cleared the sister bill, HR 13737.

People to Write: Your Senators (Senate Office Building, Washington, D.C. 20515) Your Congressman and: John Murphy (D–NY), Chairman, Consumer Protection and Finance Subcommittee; John Y. McCollister (R–NE) ranking minority member, Consumer Protection Subcommittee; Harley Staggers (D–WV) and Samuel Devine (R–OH), Chairman and ranking minority member, Interstate and Foreign Commerce Committee.

MOVE TO CURB FDA POWER

Steve Symms (R–ID) has introduced a bill to eliminate the Food and Drug Administration's power to rule on the *efficacy* as well as the safety of new drugs. This would help curb FDA's power and ease the "drug lag" which sees drugs used in Europe while banned in the United States. The bill, HR 12573, is co-sponsored by Richard Ottinger (D–NY), so there's hope of a conservative-liberal-health food enthusiasts coalition.

Status: Has just been introduced. Will fall under jurisdiction of Health and Environment Subcommittee of Interstate and Foreign Commerce Committee.

People to Write: Paul Rogers (D–FL) and Tim Lee (R–KY), Chairman and ranking minority member, Health and Environment Subcommittee. Harley Staggers, Chairman and Samuel Devine, ranking minority member, of the full Interstate and Foreign Commerce Committee. Your Congressman, asking for his position and requesting that he co-sponsor. House of Representatives, Washington, D.C. 20515.

HUMPHREY-HAWKINS

The Humphrey-Hawkins Full Employment through economic illiteracy and legerdemain bill has passed the House Education and Labor Committee and is awaiting action by the Rules Committee to clear it for floor action. They don't seriously want to pass this now, unless the Democrats figure a Ford veto will help them in the election campaign. But they're quite serious about next year. It's not too soon for the opposition to get mobilized.

People to Write: Your Congressman, House of Representatives, Washington, D.C. 20515.

(continued on page 49)

FOR YOUR AUTOGRAPHED COPY OF

THE BIGGEST CON:
HOW THE GOVERNMENT IS FLEECING YOU
By Irwin A. Schiff

Send $9.95 to:

Irwin A. Schiff
2405 Whitney Avenue
Hamden, Conn. 06518

SPOTLIGHT

At 10 a.m. on May 26, an agent of the Internal Revenue Service knocked on the door of one of the most articulate tax rebels in the country. The agent had little idea of what to expect. He knew only that he was about to audit a man whose angry, 100-page long income tax return said nothing about earnings.

When the agent left about an hour later, he had seen none of the tax records he had come for. Instead, he had been grilled before an audience of bagel-munching reporters by the taxpayer he had hoped to audit. During the questioning, the agent had bumbled out an apparent admission that the IRS had no right to force taxpayers to incriminate themselves. The agent afterwards found himself subject to formal complaint charges at the U.S. Attorney's office as a result of the audit attempt, on grounds of conspiracy to violate the civil rights of a taxpayer.

The taxpayer was Irwin A. Schiff, a fiesty, balding insurance expert living in Hamden, Connecticut who has won increasing attention for his book, *The Biggest Con*. Schiff views the scrape with the IRS auditor as just one milestone in his fight against a bloated, criminal government. His complaint to the U.S. Attorney—that the IRS agent and his boss conspired to relieve him of his Fifth Amendment rights—is concerned with a relatively minor outrage, at least compared to those that Schiff sees pushing the United States closer towards economic ruin every year.

Schiff was not always so pessimistic about the economy. During the Depression years, he grew up in New Haven and then took courses at the University of Connecticut, where he graduated with a degree in economics in 1950. The times seemed appropriate for business ventures in 1960, so Schiff launched his own insurance agency. His research into the subject soon proved disquieting.

In testimony before the Senate Banking Committee in 1968, Schiff told the senators about his conclusions regarding government intervention in the lives of citizens. "When a widow asks me if she should take the proceeds of a life insurance policy in cash or as an annuity for life, I am not being asked any mere theoretical question, but upon my advice and judgment rests the possible welfare or deprivation of a small family unit," he said. "Obviously, if I am to sleep comfortably at night, I had better know something about U.S. money and the subject of inflation when I am called upon for this sort of advice . . . . Any impartial study of this subject can only lead to the inescapable conclusion that there are many government officials who, by all laws of justice, should now be behind bars."

The Banking Committee did not appear to be swayed by Schiff's arguments for keeping gold reserve requirements for American currency,

IRWIN A. SCHIFF

despite his prediction that after removing the requirement inflation would soar, price controls would be imposed, the price of gold would rise to more than $100 an ounce, and the dollar would be devalued. The predictions proved correct. As syndicated columnist John Chamberlain observed, "Prophets who are right can be annoying, and some of the things that Irwin Schiff said at a congressional hearing in January of 1968 must be causing such luminaries as Senator William Proxmire and former chairman of the Federal Reserve Board William McChesney Martin, Jr. a great deal of pain these days."

In *The Biggest Con* (Arlington House, 1976, $9.95) Schiff makes predictions far more disconcerting than those in his 1968 testimony. Unless Americans start standing up to bureaucrats, he says, the country will slide into economic collapse and national socialism within five years. Underneath the deliberately inflammatory phrasing, which Schiff uses to shock readers out of complacency, lies a well-documented and tightly-argued case.

Schiff argues that the government has been guilty of outright criminal misconduct by destroying the value of money and understating the debt burden on the taxpayer. The economy will collapse, he says, as the result of reckless increases in the money supply. "I don't think the politicians are doing this deliberately," he says. "They're just stupid. Politicians the world over like to play Santa Claus." Pursuing the phantom of the free lunch has also led politicians to set up a huge Ponzi scheme, the Social Security system. Schiff puts the unfunded liabilities of Social Security and other programs at $5 *trillion*almost 10 times more than what the government admits to be the national debt.

Curiously enough, in the face of such political behavior, Schiff remains an optimist. "Conservatives and libertarians, inspired by the meaning of the 200th anniversary of the American Revolution, must throw themselves whole-heartedly into the growing tax rebellion," he says. "The effort that this involves is nothing compared to the effort and risks undertaken by those who won for us our freedom."

For Schiff, the effort consists of not paying taxes, thwarting IRS attempts to make him bear witness against himself, documenting the fraudulent activities of the government, promoting his book, and appearing on television and radio talk shows and in numerous newspaper articles to rouse the taxpayer. Throughout, he keeps a sense of humor as well as of mission. At Schiff's "catered" tax audit last May, even the IRS agent rose to the spirit of the occasion. "You really put me through the wringer," he confessed with a smile.

Readers are invited to nominate persons to be featured in this column. Send details to Spotlight, c/o REASON, Box 40105, Santa Barbara, CA 93103

MONEY

IT'S NOT PEANUTS

"... nothing is certain but Jimmy Carter and taxes."

–Anon.

Contrary to a common misconception–and one which we may hope will have been dispelled by the time this column sees print–Jimmy Earl Carter has not been vague about his economic program, particularly his tax plans.

First the good news: Carter wants to tax corporate earnings only once. They are currently taxed first to the corporation and then again when paid out as dividends. Carter isn't clear on whether he prefers the tax to fall at the corporate or individual level.

While this sounds like a good plan, it could have a hooker in it. For example, it could result in higher taxes for the owners of small corporations who presently divide earnings between the corporation (as retained earnings) and the owners (as salary or dividends) to take advantage of the lower progressive tax rates.

All the rest of the news is bad. Carter considers the deduction of interest for home mortgages to be a loophole benefiting high-income taxpayers. (Why it should be wrong to benefit high income taxpayers is not discussed, it being no doubt one of those self-evident truths to which the Founders alluded.) Carter prefers mortgage guarantees and interest rate subsidies which can be limited to low-income home buyers.

This is merely one case of the general liberal dislike of the tax deduction device of the Internal Revenue Code. Because the income tax is progressive, any given deduction has a greater effect on tax savings for higher-income taxpayers. Thus, a $100 deduction is worth only $15 in tax savings to a person in the 15 percent bracket, but is worth $50 to someone in the 50 percent bracket.

This measure, if adopted, could be a real stinker. If it applied to existing mortgages, it would be a serious blow to home buyers who contracted for 20-25 year mortgages with the expectation that their interest payments would be tax deductible. If it only applies to new mortgates, it will create a privileged group of middle-income people who have existing mortgages and discriminate against other middle-income people who happen not to have mortgages. Since a lot of Congressmen are in this category of present or potential mortgagors, we probably shouldn't worry about this one in the near future.

Carter also wants to tax capital gains at the same rate as ordinary income. This idea is so bad that it might even be good if it has the effect of spurring tax rebellion and stripping the system of any semblance of legitimacy. As a matter of information, this was tried from 1918 to 1921. As students of praxeology and common sense (*i.e.*, non-liberals) would anticipate, investments on which there was a gain were not sold, while those with a loss were, with the result that the Treasury suffered a net revenue loss.

Continuing his descent, Carter is adamant on "maintaining the soundness" of the Social Security scheme, chiefly by increasing the tax base from the first $15,300 of salary, as at present, to the first $20-22,000. The fact that the higher-income people get no more benefits from the system does not seem to weigh on the fairness for which Carter is otherwise so enthusiastic. Fairness aside, this one will probably pass.

The candidate also wants to manipulate the tax laws to discourage multinationals from producing goods overseas "when their own employees in this country are out of work." The practical effect of this demogogic slap at the international division of labor (a long time sub-theme of organized labor) will probably not be very great, since companies can spin off foreign affiliates and otherwise find a lot of room to maneuver.

Although Carter has not said anything yet on inheritance taxes (recalling, perhaps, how McGovern's plans to expropriate widows and orphans had cost him middle class and blue collar votes), one of his key economic advisors is Lester Thurow, an outspoken advocate of confiscatory estate taxes.

On balance Carter's tax proposals offer no encouragement and are typical examples of the distorted world view of a mainstream, Humphrey-type liberal. His plan to tax corporate earnings only once is still a pig in a poke. Congress and the Treasury are unlikely to be enthusiastic about major new tax changes, particularly since the Reform Act of 1969 hasn't been digested yet. His proposals are radical enough that we should have two or three years warning before they become effective.

The tax-deferred retirement plans (HR-10 and ERISA) seem to have escaped his reformist glare. If the tax treatment of capital gains is worsened, these programs (whose earnings accumulate tax free) will be even more appealing. If you want to be pessimistic, you could posit a time when these would all be "nationalized" under a guise of "guaranteeing" them through Social Security, but that's not visible on the horizon and it may be that not even the villainy of the Democrats is without limits.

BARBAROUS RELICS NEED LOVE TOO

While everyone seems to be bailing out of the gold market, there are a couple of points to keep in mind:

1) When gold prices fall, the mines shift to higher-grade deposits, so there is no necessary proportionality between the drop in bullion prices and the drop in mine earnings.

2) The Soviet Union, a major gold producer, has an economic interest in disrupting South African gold production. If successful, this will be bad for South African mine share holders but good for gold holders and non-S.A. mines.

3) The S.A. Chamber of Mines is backing a major advertising campaign for this fall in the United States to push the one ounce gold Krugerrand coins.

Davis E. Keeler

© 1976 Davis E. Keeler

LUCIFER'S LEXICON
by L. A. Rollins

fireworks, n.pl. Weapons with which the patriot assaults the senses of the rationally indifferent. Each July 4th, "the rockets' red glare, the bombs bursting in air" give "proof thro' the night" that patriotism is the last refuge of scoundrels intent on disturbing the peace.

publisher's notes

• **MANAGING EDITOR:** With this issue, REASON is pleased to announce a new staff appointment. Mark Frazier, a young journalist who has been a contributing editor to the magazine for the past six years, will assume the responsibilities of managing editor.

Besides taking over the Spotlight column and helping with production, Frazier will explore ways to improve REASON's features. He will concentrate especially on finding talented new libertarian writers and raising funds for more lively and timely articles.

A 24-year-old Harvard graduate, Frazier has had considerable experience. He served as executive editor of the Harvard University *Crimson*, spending summers writing for *Human Events* and columnist Jack Anderson. After graduation he became publisher of *Campus Colloquy*, a magazine with a circulation of 100,000, and author of a *Reader's Digest* article on trucking regulation. Frazier has just returned from a year in New Zealand, where he was a subeditor of the country's largest newspaper.

"I look forward to helping REASON grow," says Frazier, who like the other editors has visions of a day when the magazine will be able to afford to pay salaries. He, too, holds a full-time workload in addition to his REASON job, as director of the Sabre Foundation Journalism Fund and head of a study group on ways to cut local government spending.

• **NEW COLUMN:** This month, REASON inaugurates "Washington Watch," a new monthly feature by Alan W. Bock. Every month, Bock will keep REASON readers posted on significant legislative developments in Congress and will suggest effective ways for readers to speak out on pending bills.

Bock is director of the Libertarian Advocate, a libertarian lobbying group, and he has testified frequently before Congressional committees. We hope that readers will regularly write their Congressmen on bills mentioned in Bock's column, so that the libertarian viewpoint can be heard loud and clear.

• **LIBERTARIAN PUBLICATIONS:** We'd like to mention various worthwhile publications which may be of interest to our readers.

Libertarian Review, in its fifth year of publication, recently adopted on expanded tabloid format. An attractive, well-edited commentary and review of books, ideas and the arts, *Libertarian Review* is published bimonthly and is available at a special introductory rate of $5 for 12 issues from 6737 Annapolis Rd., P.O. Box 2599, Landover Hills, MD 20784.

Libertarian Forum is a hard-hitting, provocative newsletter edited by Murray Rothbard. A year's subscription (12 issues) is $8 from Box 341, Madison Square Station, New York, NY 10010. Highly recommended.

Option, Canada's bimonthly libertarian magazine, is available at $6 (U.S.) for one year (single copy, 75 cents) from Box 5159, Station "A," Toronto, Ontario M5W 1N5, Canada.

New Libertarian Weekly is a lively weekly newsletter edited by Samuel E. Konkin III. Subscriptions are $15/year (single copy, 30 cents), payable to New Libertarian Enterprises, Box 1748, Long Beach, CA 90801.

The *Libertarian Party News* is published bimonthly by the national headquarters of the Libertarian Party. Edited by Bill Evers, the LP News is a high-quality, informative publication, available for $3 per year from 1516 P. St., N.W., Washington, D.C. 20005.

Individual Liberty is the monthly newsletter of the Society for Individual Liberty. The publication is sent free to SIL members, and others may subscribe at $4 per year from P.O. Box 1147, Warminster, PA 18974.

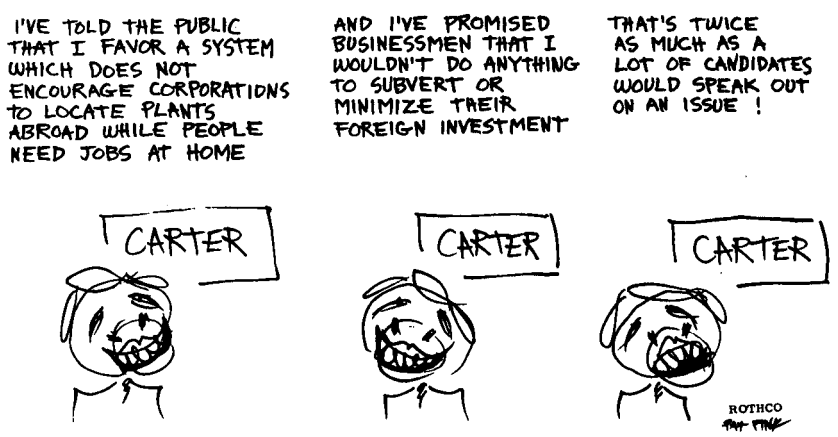
Freedom Today, a monthly magazine covering all aspects of personal freedom and self-liberation is available at $15/year (3 sample issues, $5) from 30-C West Pasadena, Phoenix, AZ 85013.

The Freedom Fighter, a biweekly newsletter, edited by Rene Baxter, emphasizes the tax protest movement and is available at $48/year from RBPress, 4045 East Palm Lane, Phoenix, AZ 85008.

The *Libertarian Connection* is an unusual mimeographed publication with articles submitted by its subscribers. For $5.85 (checks made out to Lisa Dawn), subscribers receive a minimum of 200 pages of LC material. Send orders to Dawn Enterprises, Box 90913, Worldway Postal Center, Los Angeles, CA 90009.

The above magazines and newsletters represent diverse facets of the Libertarian spectrum, and although we do not endorse the content of all of them, we believe it is worth becoming familiar with these publications.

• **PLAYBOY FEATURES:** In its April issue, *Playboy* carried a hard-hitting anti-tax piece by Jim Davidson (National Taxpayers Union director), "Tired of Being Pushed Around Every April 15?" In *Playboy's* July issue, several favorable letters commented on Davidson's article, including two from Libertarian Party members and a classic one-liner, "As far as I'm concerned the IRS can stick all its 1040s up its ass!" The July issue also carried an insightful interview with tax resister Karl Hess, former Goldwater advisor turned anarchist. We commend *Playboy* for running these timely features and suggest our readers ask *Playboy* for more such hot material. ◻


I'VE TOLD THE PUBLIC THAT I FAVOR A SYSTEM WHICH DOES NOT ENCOURAGE CORPORATIONS TO LOCATE PLANTS ABROAD WHILE PEOPLE NEED JOBS AT HOME
AND I'VE PROMISED BUSINESSMEN THAT I WOULDN'T DO ANYTHING TO SUBVERT OR MINIMIZE THEIR FOREIGN INVESTMENT
THAT'S TWICE AS MUCH AS A LOT OF CANDIDATES WOULD SPEAK OUT ON AN ISSUE !
CARTER
CARTER
CARTER
ROTHCO

FRONTLINES

TROTTER FOR SENATOR

The Utah Libertarian Party seems to be one of the most competently managed in the United States. Albeit, the Utah ballot requirement is not the most severe in the nation, the libertarians took advantage of their early official status to launch an aggressive and well-publicized campaign against Sen. Frank Moss–one of the worst men in the Senate.

Steve Trotter has been instrumental in building up a real campaign organization in Utah. Both Trotter and *George Chapman*, Chairman of the

STEVE TROTTER

Utah L.P., are independent businessmen who know how to plan a project, organize a labor force, and cultivate a market. According to Trotter, the campaign expects to have as many as 1,000 workers in the field by election day. Most of these people are individuals who have discovered the Libertarian Party only since the campaign began, although last year at tax time over a thousand people indicated on their Utah tax returns that they wanted a dollar to be distributed to the Libertarian Party (the L.P. gained some publicity by offering to return the dollar to those who asked–a clever way to encourage the donors to contact the headquarters, providing them with an address).

The campaign in Utah is being run, not merely as an educational adventure, and not merely as a local adjunct of the national MacBride/Bergland campaign, but as a serious fight to unseat the incumbent Democratic Senator and gain the office for a Libertarian. Whether this is "possible" or not is really irrelevant. It is the focus of the campaign which is important. If a candidate were only running to "educate" the voters, or for the ego-trip of being on the ballot and having some campaign buttons made, the planning and organization of the campaign would be very different.

The *Trotter for Senator Committee, Box 9164, South Ogden, UT 84403* is deliberately putting together a broad-based coalition. Not every supporter is a pure libertarian, but they all see in the Libertarian Party an institution which supports something which they support. Trotter reports that his coalition has attracted both gays and Mormons, both liberals and conservatives. One approach which has been highly successful, and is used frequently by serious candidates, is the preparation and distribution of special leaflets and brochures for special interest groups. Most people are "single issue" voters; whether they support you or hate you often depends upon whether they first identify you with an issue they support or one they oppose. If a favorable first impression has been made, subsequent knowledge that you support something they also oppose will often not destroy their support.

Trotter has been endorsed by J. Bracken Lee, the former Mayor of Salt Lake City and well publicized foe of the I.R.S. This support, and the overall credibility of the campaign, will seriously hurt the Republican candidate, especially in fund-raising. One thing the L.P. is after, of course, is precisely the defeat of the existing minority party in as many local jurisdictions as possible, so that the Libertarian Party can assume its position in local politics.

NATHAN FOR CONGRESS

In the 4th Congressional District of Oregon, which encompasses the corner of the State southwest from Eugene to the Pacific Ocean and the California line, *Tonie Nathan* is running as an independent for the House of Representatives. The district is very independent in sentiments and Nathan enjoys widespread name-recognition. The Oregon Libertarian Party is working actively in her campaign, but it is not likely to be on the ballot itself. According to Bob Baures, Campaign Coordinator, the press is taking the campaign very seriously. Nathan is able to "make news" at the expense of the incumbent's public inconsistency. As in the Trotter campaign, public response is very favorable–among audiences ranging from housewives to college students, to Chamber of Commerce types, to farmers, etc.

The percentage of voters in the 4th District who have changed their registrations from one of the Big Two to "independent" increased from 8 percent to 34 percent earlier this year. In addition to this hopeful sign, Nathan enjoys a wide range of media contacts, from her career as a columnist and radio-TV producer and host. The campaign has organized subsidiary committees, "Republicans for

blueprint for a modern ark.

Ever wish you had a self-sufficient country retreat — a place where you could live in comfort and safety for an extended period of time?

How To Plan And Develop A Survival Retreat is a detailed, proven guide to setting up your own modern hideaway. Written by experienced retreater Sidney Ragsdale, the book covers site selection, security, costs and financing, roads, independent water and electrical power systems, an energy-efficient house, storing fuel and supplies, and much more. Conservation of energy and operational reliability of systems and equipment are strongly stressed making this plan both practical and environmentally sound.

To order your copy send $9.95 (ppd.) to:

Ragsdale Publications,
P.O. Box 6566
Carmel, California 93921

(Or write for additional free information.)

Nathan" and "Democrats for Nathan." The major problem of course seems to be raising adequate money to mount a campaign of visibility at least equal to the Republican, who is very well financed. The name of the game is visibility. *Nathan Congressional Campaign Committee, Box 1235, Springfield, OR 97477.*

TONIE NATHAN

In an interview by *Ernie Ross* of KUGN radio in Eugene, Oregon, last May, Oregon Senator Bob Packwood responded to the question, "What impact, if any, do you see the Libertarian Party having in Washington?" Packwood said the L.P.'s image of consistency in opposition to government is drawing a growing interest in Washington. He thinks that over the next 10 years the L.P. may be a "force to reckon with" because the general public is dissatisfied with the lack of standards in the Big Two. He said, "Conservatives like the party's stand on less government regulation and liberals like its stand on individual rights." Increasingly, the candidates seeking public office who "have a chance" are being questioned by audiences and reporters regarding inconsistent positions, and the libertarian vs. authoritarian perspective is becoming the paradigm within which political judgments are formulated.

NATIONWIDE

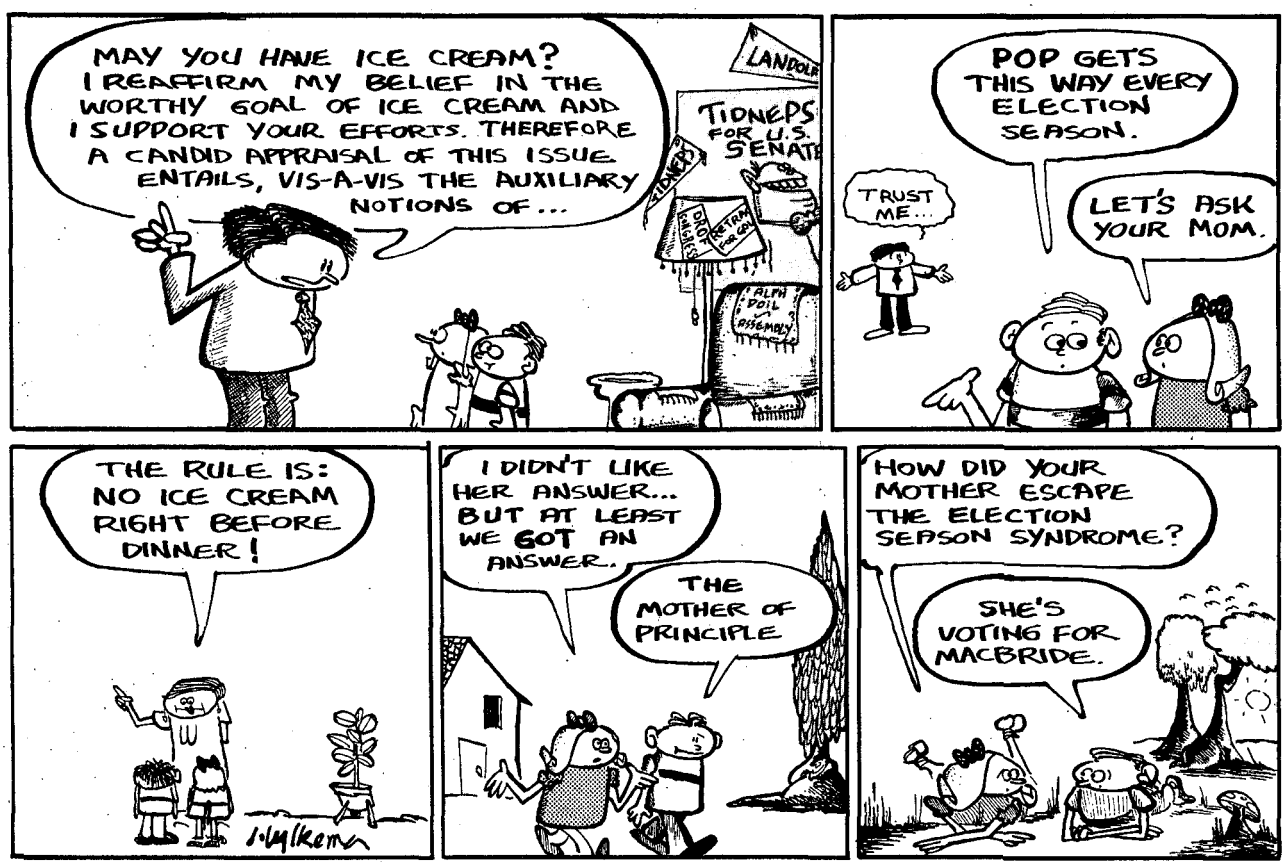
Campaign material has been received from dozens of States in the past months. This column cannot spotlight everyone who is making significant headway—but we want to be able to report on achievements which point the way to ultimate success. We urge you to send us any libertarian news or literature you may come across. November 2nd should prove to be a very interesting day.

A libertarian political committee which ought to be very popular next month is the *"Nobody for President!" CounterCampaign '76, Box 4190, Malibu, CA 90265* which has buttons, bumperstickers, and mini-stickers (ideal for guerrilla tactics). The idea is cute. The 60 second radio spot, for which CounterCampaign '76 is seeking funds to purchase air time, says in part "Last year, Nobody lowered your taxes . . . Nobody stopped inflation . . . Nobody should run your business and your life . . . . Vote for Nobody!" Certainly, apathy and the perception that there is no big difference between politicians should be cultivated by the libertarian movement, since this is the fertile soil from which a new political force will grow. The odd thing about the libertarian movement, however, is that there is an element of bitterness among those who have different ideas about the best strategy. The voters whom the CounterCampaign '76 promoters most want to drop out are the ones who support MacBride/Bergland.

—Joe Cobb

rudebarbs

RANDALL K HYLKEMA


MAY YOU HAVE ICE CREAM? I REAFFIRM MY BELIEF IN THE WORTHY GOAL OF ICE CREAM AND I SUPPORT YOUR EFFORTS. THEREFORE A CANDID APPRAISAL OF THIS ISSUE ENTAILS, VIS-A-VIS THE AUXILIARY NOTIONS OF...
LANDON
TIDINGS FOR U.S. SENATE
POP GETS THIS WAY EVERY ELECTION SEASON.
TRUST ME...
LET'S ASK YOUR MOM.
THE RULE IS: NO ICE CREAM RIGHT BEFORE DINNER!
I DIDN'T LIKE HER ANSWER... BUT AT LEAST WE GOT AN ANSWER.
THE MOTHER OF PRINCIPLE
HOW DID YOUR MOTHER ESCAPE THE ELECTION SEASON SYNDROME?
SHE'S VOTING FOR MACBRIDE.

LETTERS

(continued from page 9)

jungle and the remains of a bankrupt French canal company. When by application of brain, brawn and treasure this was transformed into an important link in the nation's defense system, then by libertarian doctrine possession should be American. That some financers have unduly profited indicates that more was paid for the canal rights than they were worth, and as a consequence U.S. interest should be increased rather than diminished. How about the ethics of those who bask in the security which the canal affords and then cavil against the personalities who made it a reality?

Joseph Jackimowski
Chicago, IL

A MORMON'S REPLY

In your FRONTLINES story, July 1976 issue of REASON, in the Larry Fullmer story, you say Pocatello, Idaho is a conservative small town. As a former resident of Idaho and the initial State Chairman of the American Independent Party in 1968, I can tell you Pocatello is, and is known among Idaho conservatives as perhaps the most liberal city in Idaho. Its liberal university and student body greatly contribute to the city's liberalism.

I think your story gives the Mormon church a bad image, and an incorrect image, by tying it in with the "puritans." I am a libertarian. I subscribe to and appreciate the good work of REASON on behalf of freedom. I am also a Mormon–100 percent, true-blue, thru and thru, hold the higher priesthood therein, and am a scholar of and well understand the doctrines and philosophy of the Mormon Church, which is officially The Church of Jesus Christ of Latter-Day Saints.

The Mormon Church is, I would say, your equal in its stand for libertarianism, if by libertarian you mean one who believes in letting everyone do his own thing as long as he infringes on the right of no other person.

Where we differ, however, is that the contemporary libertarian is for all the individual rights, like gay rights which I as a Mormon consider to be a sinful and ungodly practice. Nevertheless, to be consistent, I must, and I freely do, allow others any rights they choose to exercise; but as a Mormon libertarian, I must remind others who would exercise rights which I consider sinful, that they are doing things which the God who created us condemns, and that those who break the laws of God must one day pay the penalty.

The Mormon Church will do all it can to *gently persuade* others to live lives of cleanliness and morality, but none of us who understand the faith and doctrine would ever resort to the use of force, either personal or government force, to cause others to conform to our standards.

Gentlemen, the Mormon Church is on the side of Liberty, more so than you are.

Joseph K. Stumph, Jr.
Magna, UT

RATIONAL ALTERNATIVE

Thanks for the great job you have been doing. I discovered you about a year ago, quite by accident. My dad is a Chiropractor and subscribes for his waiting room patients. I read several issues and have been stealing his copies each month since. But, I guess, it is time to open my own subscription so I won't have to rummage through his waiting room each month.

For many years now I have realized my views are not left wing, nor are they conservative. After reading REASON for a year I see that I am a libertarian. Thanks for articulating the libertarian alternative. I don't know how I missed it during my years of college, but better late than never.

I also appreciate your coverage of the Libertarian Party. My wife and I left the Democrats when we learned of it. We are now registered LP.

I also appreciate your articles on firearms ownership. The one by Morgan Norvall was the best I have read. It gets straight to the heart of the whole issue. Gun control is people control–nothing more. I wish you would reprint the Norvall article as a position paper that can be passed out like a "gospel tract." There are a lot of people who have not made up their minds on gun control. This paper would help them.

Dennis Miller
North Highlands, CA

Letters from readers are welcome. Each receives editorial consideration, although only a selection can be published and none individually acknowledged. Letters submitted for publication in this column should be typed, double-spaced. They should be kept as brief as possible and are subject to condensation. Send letters to REASON, P.O. Box 40105, Santa Barbara, CA 93103.

WASHINGTON WATCH

(continued from page 43)

For More Information: American Enterprise Institute (1150 – 17th St., N.W., Washington, D.C. 20036) has put out a good legislative analysis of this and the opposing Kemp-McClure "Jobs Creation Act." Ask for *Reducing Unemployment*, price $2.00.

POSTSCRIPT

Audio Forum (901 N. Washington St., Alexandria, VA 22314) is marketing cassettes of Libertarian Advocate's first fund-raising dinner, held Jan. 29, 1976. Speakers included Karl Hess, Murray Rothbard, Peter Breggin, Scott Royce, Wain Dawson, Charles Morgan, yours truly. Not a bad way to get the propaganda word on why we were formed and what we're about. Tape No. 420, Price: $12.50.

Alan W. Bock

Alan Bock is director of Libertarian Advocate, P.O. Box 3117, Falls Church, VA 22043, a lobbying organization formed to present libertarian viewpoints and proposals in legislatures and other key forums.

CLASSIFIED

(continued from page 50)

all available issues, send stamped envelope to Joe Cobb, Box 1776, Chicago, IL 60690.

REAL ESTATE

20 TO 80 ACRES LEVEL fenced, with water through from hot spring, three miles east, resort closed long ago. We include half oil, gas and mineral rights if cash @ $485.00/acre, on S. side Hwy 25 miles S from Burns. Specht 15355 Monterey Road, Morgan Hill, CA 95037.

SERVICES

SAFE STORAGE, Keep valuables in a bank vault. Convenient as the mail. Purchase, storage, gold, silver, anything. Numbered accounts. Send for details. John Galt Enterprises, Unlimited, Rm. 2, P.O. Box 827, Sebastopol, CA 95472.

RATES: 20 cents per word, $4.50 minimum. For REASON box number instead of personal address, add 50 cents per insertion. Forwarding postage paid by advertiser. *All orders must be accompanied by payment,* and copy should reach us by the first day of the second month preceding the month of issue (e.g., advertising for the March issue, which is mailed in early February, should reach us by January 1).

The classified ad deadline for the December issue is October 1st.

CLASSIFIED

ANNOUNCEMENTS

WANTED: The spirit of John Galt and Howard Roark to build the starship to happiness. Contact STARSHIP AURORA, Box 4265, Edmonton, Alta., Canada, T6E 4T3.

BOOKS

COPIES OF THE HARDBACK edition of Hospers' LIBERTARIANISM (list price $10) now available for $5 postpaid from Libertarian Party, Box 512, Reseda, CA 91335.

TOWARDS A PROPRIETARY THEORY OF JUSTICE a 40+ page pamphlet restating the natural law basis of libertarianism. $3.00 per copy postpaid. Carl Watner, 7250 Washington Boulevard, Baltimore, MD 21227.

WITHDRAW FROM THIS LOOTER ECONOMY Learn how to protect your assets with the common law, gold accounting and hard money communities; discover what a stateless firm is and how it allows you to work in complete disregard of unjust laws and state-imposed expenses with the same legal impunity that thieves and bureaucrats have when they violate rights; learn how gold accounting enables you to offer lower prices, meet higher costs and still retain more capital than competitors; discover why it's important to establish hard money communities and stateless firms before a monetary crash—not after. Send two 13¢ stamps for information to Anthony Hargis, 5327 N. Cen. Exp. No. 200R, Dallas, TX 75205.

FOUNDATION An Introduction to the Universal Theory—Unifies all cosmologic, gravitative, magnetic, atomic phenomena in one comprehensive theory——$2.00——Prometheus, Box ABC, REASON.

EMPLOYMENT

COUPLE SEEKING permanent position with retreat estate or family. Security Officer and Nurse. Mature, experienced. Mr. and Mrs. N. Murray, 4632 Aspen Dr., Sierra Vista, AZ 85635.

INTERNATIONAL BUSINESS CONSULTANT would like to collaborate with a freelance writer to do a book on tax havens. Have all research material collected, am expert in subject, and can generate extensive publicity. Will share royalties with co-author willing to work on speculation. Please respond in detail about yourself. Box G3, REASON.

FINANCIAL

BUY SILVER COINS at face value. Complete details $1.00. Satisfaction guaranteed. Bannon, Dept. R-4, P.O. Box 942, Pittsburgh, PA 15230.

SWISS LIFE INSURANCE AND ANNUITIES. Is your life insurance being destroyed by inflation? Would you like to receive a life income in Swiss Francs? For full details write to: Assurex S.A., International Insurance Consultants, Obstgartenstrasse 7, P.O. Box 129, 8006 Zurich, Switzerland.

NEW STOCK MARKET COURSE: "How to Average $1,000 a Week (or More) in the Stock Market (Bear or Bull)." Send today for free, eye-opening brochure! MARINER FINANCIAL CORPORATION, 925 L Street, Suite 850E, Sacramento, CA 95814.

"SLEEPER" INVESTMENTS. Century's outstanding opportunities! Inflationproof, depressionproof. Surprising recommendations—$2. Terry Dale. Martin, P.O. Box 91, Golf, IL 60029.

PERSONALS

WANTED: Complete notes (or fairly complete) from old courses given by Robert Hessen, Henry Holzer and/or Alan Greenspar at N.B.I. Also wanted: Notes from Dr. Blumenthal's course in music and notes from Ayn Rand's lecture on the "Limits of Government" in Boston, April 11, 1976. Will pay high price, (within reason). Please correspond (or call) before sending notes. Ophelia Betty Hendrie, 39A Rockwood, Middletown, NY 10940 (914) 692-4353.

ATTRACTIVE 30 YEAR OLD Canadian man seeks warm appealing woman in her twenties for friendship and possible romantic relationship. I've had it to here with shallow, superficial women, and am looking for a special someone who realizes that "TANSTAAFL" also applies to romance. If you are capable of a deep personal committment, and would appreciate the respect and attention from me that I expect from you, I would like to hear from you. I enjoy reading, good music, camping, riding, photography, making love. I am working towards complete self-sufficiency in the event of economic collapse, and would like to meet someone with the outlook and pioneering spirit of "Dorable Dora" (Heinlein — *Time Enough for Love*). Please reply Box HO, REASON.

WANT TO SHARE in the cost of a subscription to *Harry Browne's Special Reports?* Anybody have Harry Browne tape recordings (seminars, talk show interviews, etc.) for sale? For sale: *The Objectivist* and *The Objectivist Newsletter,* complete and bound. And *The Ayn Rand Letter* up to vol. 3, No. 26 (Sept. '74). Best offer. David Hock, 7360 N. Damen, No. 3N, Chicago, IL 60645.

JIM MILLARD. Please contact Adam Starchild, Box 510, Kearny, NJ 07032. Mail returned from all addresses you gave marked 'unknown'.

LIBERTARIAN ROOMATE wanted. Large two bedroom, two bathroom apartment on upper west side, N.Y.C. Very low rent, good neighborhood. (West 72nd St.) Call (212) EN2-9493.

OBJECTIVIST FEMALE needed for PROFITABLE deal: helping an objectivist to immigrate into U.S. For details contact Ron Avni, P.O. Box 1352, Austin, TX 78701.

PRODUCTS

HAVE YOU EARNED THE RIGHT TO WEAR A DOLLAR SIGN? Reward yourself by owning a *solid* gold 14k dollar sign ($) 3/4" tall. Available in tie tack, pin and catch, stick pin and necklace (w/o chain). ORDER TODAY! Only $24.50, sterling $13.50. Insured. David Hester, 5823 Sandhurst #C, Dallas, TX 75206.

SIGNED AND NUMBERED print of Leonard Diamond's Flying Eagle (The Protector) and Eagle Head (The Guardian), matted or matted and framed, with prose same title—pairs only of sold issue of 40—accepting bids over $250. Also single copy of numbered "Guardian". Write D. Box 282, Mulberry, FL 33860.

ORIENTAL JADE JEWELRY. Highest quality at a fraction of current retail prices. Jade represents tangible wealth, your best protection. Act now, world jade supplies are dwindling rapidly. Prices, photos; 25 cents to: Artar Enterprises, Box 9782, Hanahan, SC 29410.

SPOKEN-WORD CASSETTES. Politics, philosophy, investing, economics, self-improvement, psychology, romantic love, and more—all on easy-learning tapes. Send 25 cents (coin or stamps) for 350-selection catalog, and $1 discount certificate. AUDIO-FORUM, Dept. AL, 901 N. Washington St., Alexandria, VA 22314.

PUBLICATIONS

"AUTOMATIC LIFETIME INCOME" outlines seventeen no-nonsense methods for converting your wasted time to income. $1 postpaid. Terry R. Martin, P.O. Box 91, Golf, IL 60029.

"THE CASE AGAINST . . ." Analyses of the philosophical imperfections of the two major party presidential nominees on the basis of libertarian values. Sample copy with bulk-order form (specify Democrat or Republican), $1. Or get both for only $1.50. AGAINST THE WALL, Box 444, Westfield, NJ 07091.

DR. NATHANIEL BRANDEN RECOMMENDS—TOUCH a new magazine devoted to "a sensitive, well-informed and highly practical discussion of issues and problems in the area of human sexuality"—$10 for a one-year subscription. Try the ultimate intimate experience NOW! *TOUCH,* 2439R 4th St., Santa Monica, CA 90405.

PSYCHOLOGY, HUMANICS, ETHICS, ETC. Articles on Glasser, Piaget, Selye, Nozick, etc. Opinion by Dunn, Nordtvedt, Klein, Narlee, etc. MORE: Cogitations ($5 per year—11 issues), P.O. Box 172, Pelham, NH 03076.

EDEN UNDERGROUND! New bi-weekly focuses on financial independence, privacy, survival, beating bureaucracy, enhancing your personal lifestyle. Witty, outspoken, libertarian, try EDEN! Sample copy 25 cents. $10/year. Eden Press, Box 8410-RN, Fountain Valley, CA 92708.

NEW INDIVIDUALIST REVIEW has become a collector's item—a genuine classic of libertarian scholarship, published from 1961 to 1968. Articles by Murray Rothbard, Yale Brozen, Milton Friedman, Ludwig Mises, F.A. Hayek. For free brochure, contents of

(continued on page 49)

An encyclopedic A survival handbook:

QUICK COURSE IN HARD-MONEY INVESTMENTS

And Other Inflation-Survival Secrets

As economic conditions become progressively bleaker, more and more cautious people are returning to the time-honored methods of protecting their assets: gold, silver, rare coins, fine art, and similar "alternative" investments.

Such people know that runaway inflation is a very real possibility. And they also know that economic chaos is bound to be accompanied by *social* chaos: shortages, violence and civil turmoil.

These far-sighted individuals are taking no chances. They are preparing themselves for both *economic* survival and *physical* survival.

How about *you*? Have you made any preparations to meet this kind of crisis situation? You've probably thought about it, but you've hesitated because of the many subjects involved and their apparent complexity. Surely it would take a lifetime, you may have said, to acquire knowledge of so many different specialities.

Until just a short while ago, that fear may have been justified. But now there's A QUICK COURSE IN HARD-MONEY INVESTMENTS . . . And Other Inflation Survival Secrets.

A QUICK COURSE is a brief yet comprehensive introduction to precious metals, alternative investments, and personal survival techniques. Prepared by the editors of the "Inflation Survival Letter," America's leading survival publication, A QUICK COURSE contains 17 chapters, each on a different subject, each by an expert in the field.

These authorities answer your questions, provide specific "how-to" information, and guide you step by step through each specialized area. Previously bewildering subjects like gold and silver investment, Swiss banks, foreign trusts and alternate energy source. suddenly become crystal-clear. Each chapter is a basic, non-technical introduction to its subject. Yet each is also completely authoritative, accurate and up to date.

A QUICK COURSE is the simplest, briefest introduction to alternative investments and survival techniques now available. If you've considered hedging your assets against inflation or taking the steps necessary to protect yourself against the consequent social upheaval, you can't afford to pass up this important book.

A Preview of A Quick Course.

Here is an outline of all 17 chapters of A QUICK COURSE IN HARD-MONEY INVESTMENTS . . . And Other Inflation-Survival Secrets.

1. **An Inflation-Survival Strategy for Everyman.**
   A summary of the inflation problem for the layman. Discusses the probable effects of inflation and government actions, and offers some startling economic predictions.
2. **How to Invest in Gold,** by Rene Baxter.
   The prospects for gold as an inflation hedge. How and where to buy it, store it, sell it. Everything you need to know.
3. **How to Invest in Silver,** by William F. Rickenbacker and the editors of ISL.
   Silver as a hedge against inflation—its pros and cons. Loaded with facts.
4. **Investing in Rare Coins for Profit and Pleasure,** by Richard F. Suter.
   Rare coins have proven to be one of the soundest of all anti-inflation investments. A comprehensive guide to rare coin investment.
5. **A Swiss Bank Account for You,** by Robert Kinsman.
   Exactly *why* you need a Swiss bank account and how to set it up. Written by one of the world's leading Swiss bank authorities.
6. **A Complete Guide to Commodities Futures Trading,** by Eugene Jackson.
   A noted commodities expert leads the reader step by step through the methods, risks, and potential rewards of the fastest speculator's game in town.
7. **Fine Arts and Antiques: Investments to Enjoy,** by Richard Rush.
   America's best-known authority on art and antique investments shows how the experts profit in this field.
8. **Foreign Trusts: Not Just for the Wealthy.**
   How to protect your assets from foreign exchange controls and (sometimes) even from taxes.
9. **A Layman's Guide to Survival Firearms,** by Bill Davidson.
   One of America's best-known writers on outdoor subjects shows why the uncertainties of the future make it essential that you own the correct weapon for personal safety.
10. **How to Buy Rural Property,** by Gary North.
    Everything you need to know to buy country property for investment, vacation use, or for a future safety haven.
11. **Ten Best Ways to Hide Your Valuables,** by David Krotz.
    Tips on home hideaways for gems, coins and other valuables.
12. **Your Guide to Swiss Life Insurance and Annuities.**
    Why U.S. dollar policies are certain losers against inflation, and why Swiss policies are the best alternative.
13. **How to Prepare for the Next Energy Crisis,** by Roy A. Johnson.
    An expert takes a fresh look at alternative sources of heat, light, electricity, transportation, etc.
14. **The Best of Interest-Paying Checking Accounts,** by Mark Skousen.
    Amazing but true. Many U.S. banks pay interest on your checking account. Thousands of ISL readers have profited from this important article.
15. **Where to Earn High Interest and Dividends,** by Mark Skousen.
    A complete description of highly liquid, dividend-bearing investments.
16. **Mexican Bank Deposits.**
    Earn yields up to 13 percent! How to safely invest your money in Mexican financieras.
17. **A Complete Survival Directory.**
    Private safe deposit companies . . . Recommended books and cassette tapes and where to order them by mail . . . Recommended advisory publications, free catalogs, and other literature . . . Foreign banks . . . Storage food companies . . . Coin dealers, securities brokers, metals and futures brokers, investment advisors and portfolio managers. An indispensible guide that includes names, addresses, prices. Literally hundreds of entries!

Your Unconditional Guarantee.

A QUICK COURSE IN HARD-MONEY INVESTMENTS . . . And Other Inflation Survival Secrets is not sold in any store. It's available only by mail, and the price is just $9.95 postpaid. It takes the place of a dozen other books, each of which would cost you at least the price of A QUICK COURSE alone!

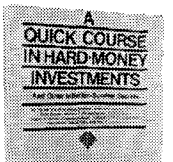
What's more, A QUICK COURSE comes with this unconditional guarantee: If, after reading it, you find that you're dissatisfied in any way, simply return it to us within three weeks. Every penny of your $9.95 will be promptly refunded.

This may be one of the most important books you will ever read. It is simple, brief, easily understood. When you close the book, you will know every single principle necessary to make intelligent survival decisions for yourself and your family.

But the value of A QUICK COURSE goes well beyond a single reading. For years to come, you'll find yourself referring again and again to this useful, usable encyclopedia.

The way things are going, this is one book that should be in your hands as soon as possible. You can't afford to delay a moment longer. Mail the coupon today!

I want to learn exactly how to best ensure the economic and physical survival of myself and my family. Rush me A QUICK COURSE IN HARD-MONEY INVESTMENTS And Other Inflation-Survival Secrets. My payment is enclosed. I understand that I may return the book for a full and immediate refund within three weeks after receipt if I'm not completely satisfied.



432

Name _____

Address _____

City _____ State _____ Zip _____

SA756

KEPHART COMMUNICATIONS, INC.
901 North Washington St.
Alexandria, Va. 22314

A Libertarian Think Tank?

Yes. And it's about time.

The right has its American Enterprise Institute. The left its Institute for Policy Studies. And the liberals have their Center for the Study of Democratic Institutions.

So why not us? Surely the libertarian movement deserves its own permanent foundation committed to the study of ideas and the evaluation of political and social alternatives.

A small group of libertarian scholars and writers agreed that it does. They met and formulated plans for the *Center for Libertarian Studies*. The Center, they decided, would ultimately serve as the nation's major source of libertarian scholarship.

Consider for a moment the impact of America's established political foundations.

Research done at the Center for the Study of Democratic Institutions led directly to the Kennedy-Johnson "War on Poverty." The Institute for Policy Studies has played a major role in shaping the strategies of the left. And the American Enterprise Institute, says Karl Hess, "presses the conservative cause more effectively and persistently than any group in America and perhaps in the entire world."

However we may disagree with the ideologies of these organizations, we must admit that they're on the right track tactically. They know that *ideas are the key to social change*. If we're serious about achieving a libertarian society, we must create a climate to encourage the basic theory and research that will make it possible. In the long run, no task is more important for the advance of liberty.

The creation of such a climate is precisely the purpose of the Center for Libertarian Studies.

The Center will assist deserving young scholars, generate an interchange among the various disciplines concerned with human liberty, consider alternative strategies of social change, and serve as a vital link between Academia and the "real world."

Though still in infancy, the Center has already attracted the support of some of the world's best-known libertarians. The CLS board of advisors includes such distinguished names as Nobel Prize-winner Friedrich A. Hayek, Robert Nozick, Mrs. Ludwig von Mises, Mrs. F.A. Harper, Felix Morley, Henry Hazlitt and Yale Brozen.

The functions of the Center.

The program of the Center for Libertarian Studies includes the following activities:

The **Libertarian Scholars Conference,** a highly-successful series which began in 1972, and which was the precursor of CLS.

The **Journal of Libertarian Studies,** a new publication which will serve as a forum for the best in libertarian scholarship.

A **Fellows Program**, to provide young students of liberty with financial assistance, enabling them to study with the Center's New York City-area resident scholars.

The Center **Newsletter,** to keep our supporters informed about the activities and accomplishments of CLS.

CLS **Occasional Papers,** and the **Educational Project,** to promote wider understanding of libertarian ideas.

And finally, looking toward the future, a **permanent physical facility,** which will be located in the New York metropolitan area.

Of course, there's a lot more to be said about these activities. We'll be glad to send you a copy of the Center's official prospectus, which discusses each one in more detail. Just check the appropriate box on the coupon below.

What's in it for you?

Frankly, we think you should join and support the Center for Libertarian Studies because it's one of the best ways for you to help create a truly free society.

But we realize that it will take a while to achieve that goal. So in the meantime, we'd like to offer you some more immediate and tangible rewards in return for making a contribution to the Center.

We've created a special package of benefits for our supporters, whom we call "Friends of the Center for Libertarian Studies."

As a "Friend of the Center," you'll receive:

- A one-year subscription to the Center for Libertarian Studies *Newsletter.*
- A one-year subscription to the *Journal of Libertarian Studies.*
- All of the Center's Occasional Papers.
- Invitations to exclusive receptions and seminars featuring prominent libertarian speakers.
- Substantial discounts on publications, conferences, courses and lectures.
- A handsome card identifying you as a "Friend of the Center for Libertarian Studies."
- To top it all off, your contribution is *tax-deductible.*

So, all things considered, you've got a number of very selfish reasons to support the Center for Libertarian Studies. Not least of which is the possibility of achieving Freedom in Our Time.

Join us in the battle of ideas for liberty. Clip the coupon, and write a check, today.

Your contribution is tax-deductible if check is made payable to the Foundation for New Educational Projects, Inc. Please note on your check: "For the Center for Libertarian Studies."

Become a Friend of the Center for Libertarian Studies.

200 West 58 Street, Suite 5D New York, N.Y. 10019

You're right! The libertarian movement needs and deserves a think tank of its own. Sign me up as a "Friend of the Center for Libertarian Studies." I understand that my contribution entitles me to receive the full package of benefits described above.*

☐ Enclosed is my contribution for:
☐ $1000 ☐ $500 ☐ $250 ☐ $100 ☐ Other $

☐ I want to know more about the Center. Send me a copy of your official propectus. (Enclosed is $1 to cover postage and handling.)

Name _____

Address _____

City _____ State _____ Zip _____

LR1

*We're grateful for any donation you can make. However, in order to qualify as a "Friend of the Center," and receive the package of benefits listed above, your contribution must be $100 or more.